

URBAN/MUNICIPAL

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A31

Mar. 1986-

HAMILTON, ONT. COUNCIL

AGENDAS OF THE COUNCIL

March - 1986 - July - 1986

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
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THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

URBAN/MUNICIPAL

CAY ON HBL A05

A31
1986

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

MAR 24 1986

Tuesday, 1986 March 25
9:30 o'clock a.m.
Council Chambers, City Hall

A G E N D A

1. Prayer - Reverend Harold Lindemann,
Transformation Lutheran Church
Hamilton
2. Minutes of the Meeting held 1986 March 11
3. Correspondence
4. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (B) Transport and Environment Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (E) Legislation Committee
 - (F) Personnel Committee
 - (G) Finance Committee
5. Notice of Motion from previous meeting - Alderman H. Merling
6. Notices of Motion for next meeting
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question period
11. Adjournment.



REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its EIGHTH Report for 1986 and respectfully recommends:

1. (a) That Council authorize the creation of a three member subcommittee composed of the Mayor R. M. Morrow, Alderman P. Cowell and Alderman B. Hinkley, to make tentative arrangements for the City of Hamilton to host a Forum on Free Trade; and
- (b) That the proposed forum be attended largely by experts in the field of business, economics, labour and local politics with invitations to be sent to the leaders of the three federal parties; and
- (c) That the focus of the proposed Forum be "the Effect of Free Trade on the Local Community."
2. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alley in the block bounded by Kensington Avenue, Roxborough Avenue, Rosslyn Avenue and Dunsmure Road at an estimated cost of owner's share of \$20 108.38, as well as City's share of \$28 691.62, by the issuance of debentures totalling \$48 800 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$48 800 for a term not to exceed 15 years for the above project.

NOTE: Section 17 of the Eighth Report of the Transport and Environment Committee makes reference to this matter and requests the Executive Committee to determine the method of financing this Capital Project.

3. That the cost of providing safety devices required for roof structure rigging at the Copps Coliseum at an estimated gross cost of \$25 000 be financed from the unutilized portion of the original gross cost and debenture authority under O.M.B. Order No. E830018 dated May 8, 1983 for the Trade Centre/Arena and be charged to Account No. 0408-U32909.

NOTE: With the adoption of Section 3 of the Sixth Report of the Executive Committee, City Council at its meeting on February 25, 1986 approved this project and requested the Executive Committee to recommend the method of financing this Capital Project.

4. That the cost of additional design services, fabrication and installation of additional interior and exterior signage at the Copps Coliseum at an estimated gross cost of \$25 000 be financed from the unutilized portion of the original gross cost and debenture authority under O.M.B. Order No. E830018 dated May 8, 1983 for the Trade Centre/Arena and be charged to Account No. 0408-U32908.

NOTE: With the adoption of Section 2 of the Sixth Report of the Executive Committee, City Council at its meeting on February 25, 1986 approved this project and requested the Executive Committee to recommend the method of financing this Capital Project.

5. That the cost of constructing sixteen Aldermanic Offices, media rooms and washroom facilities for the female members of City Council referred to in Section 9 of the Seventh Report of the Legislation Committee at a gross cost of \$425 000 be financed from the Reserve Capital Projects Account No. 0280-27.
6. That Mr. L. Flemming be appointed Director of the Human Resources Centre of the City/Region, effective 1986 April 01, subject to the joint approval of Regional Council.

NOTE: Previously forwarded to the members of City Council was a copy of a report dated March 18, 1986 from the Chief Administrative Officer to the Executive Committee, which provides background information relative to this recommendation. Additional copies if required are available from the Secretary, Executive Committee.

7. That leave be granted to introduce the following bills

(a) Bill A-4 : A By-law to Amend By-law 8131 - Appointment of Members to the Hamilton Parking Authority for the City of Hamilton.

(b) Bill A-5 : By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1986 March 13
1986 March 20

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its EIGHTH Report for 1986 and respectfully recommends:

1. That the Region of Hamilton-Wentworth be requested to assume the total costs associated with snow removal from the bus stop areas within the City of Hamilton.
2. (a) That an Option to Purchase the lands of John Richard Tarbutt and Janet Tarbutt, duly executed on March 11, 1986 and scheduled for closing on May 20, 1986, be completed.

NOTE: The property is composed of rear land off Upper Ottawa Street containing an area of 1 090.5m² (.269 acres), more particularly described as Parts 7, 8, 16, 17 and 21 on Plan 62R-8070 and forming a part of Municipal Number 1446 Upper Ottawa Street.

The purchase price is \$12 605 and the cost is to be charged to account #02809-02.

Consideration in the amount of \$1 has been paid to the Owners pursuant to the agreement, forms and part of the purchase price.

The Vendors acknowledge to the City that the land they retain will:

- i. Be bound on the east side of Part 8, Plan 62R-8070 by a 1' Reserve (Part 21, Plan 62R-8080) and bounded on the east and west sides of Part 7, Plan 62R-8070 by two 1' Reserves (Parts 16 and 17, Plan 62R-8070); and
 - ii. Not qualify for a Building Permit until the Vendors pay a share of the services and land costs attributed to the said roadways; and
 - iii. Be separated from the roadways by the above 1' Reserves (Parts 16, 17, 21, Plan 62R-8070) until payments referred to in (ii) above are paid.
- (b) That an Option to Purchase the lands of Frederick Ajandi, duly executed on March 3, 1986, and scheduled for closing on May 16, 1986, be completed.

NOTE: The property is composed of rear land off Upper Ottawa Street containing an area of 538.2m² (.132 acres), more particularly described as Parts 5, 6, 14, 15 and 20 on Plan 62R-8070 and forming a part of Municipal Number 1452 Upper Ottawa Street.

The purchase price is \$6 440 and the cost is to be charged to account #02809-02.

Consideration in the amount of \$1 has been paid to the Owners pursuant to the agreement, forms and part of the purchase price.

The Vendor acknowledges to the City that the land he retains will:

- i. Be bound on the east side of Part 6, Plan 62R-8070 by a 1' Reserve (Part 20, Plan 62R-8080) and bounded on the east and west sides of Part 5, Plan 62R-8070 by two 1' Reserves (Parts 14 and 15, Plan 62R-8070); and
 - ii. Not qualify for a Building Permit until the Vendor pays a share of the services and land costs attributed to the said roadways; and
 - iii. Be separated from the roadways by the above 1' Reserves (Parts 14, 15, 20, Plan 62R-8070) until payments referred to in (ii) above are paid.
- (c) That an Option to Purchase the lands of Leona Margaret Mayne, duly executed on March 4, 1986 and scheduled for closing on May 20, 1986, be completed.

NOTE: The property is composed of rear land off Upper Ottawa Street containing an area of 534.3m² (.132 acres), more particularly described as Parts 3, 4, 12, 13 and 19 on Plan 62R-8070 and forming a part of Municipal Number 1458 Upper Ottawa Street.

The purchase price is \$6 440 and the cost is to be charged to account #02809-02.

Consideration in the amount of \$1 has been paid to the Owners pursuant to the agreement, forms and part of the purchase price.

The Vendor acknowledges to the City that the land he retains will:

- i. Be bound on the east side of Part 4, Plan 62R-8070 by a 1' Reserve (Part 19, Plan 62R-8080) and bounded on the east and west sides of Part 3, Plan 62R-8070 by two 1' Reserves (Parts 12 and 13, Plan 62R-8070); and

- ii. Not qualify for a Building Permit until the Vendor pays a share of the services and land costs attributed to the said roadways; and
 - iii. Be separated from the roadways by the above 1' Reserves (Parts 9, 12, 13, Plan 62R-8070) until payments referred to in (ii) above are paid.
- (d) That an Option to Purchase the lands of Douglas Lloyd Iverson and Clara Isabel Iverson, duly executed on March 3, 1986 and scheduled for closing on May 16, 1986, be completed.

NOTE: The property is composed of rear land off Upper Ottawa Street containing an area of 1 053.2m² (.260 acres), more particularly described as Parts 1, 2, 10, 11 and 18 on Plan 62R-8070 and forming a part of Municipal Number 1464 Upper Ottawa Street.

The purchase price is \$12 200 and the cost is to be charged to account #02809-02.

Consideration in the amount of \$1 has been paid to the Owners pursuant to the agreement, forms and part of the purchase price.

The Vendors acknowledge to the City that the land they retain will:

- i. Be bound on the east side of Part 2, Plan 62R-8070 by a 1' Reserve (Part 18, Plan 62R-8080) and bounded on the east and west sides of Part 1, Plan 62R-8070 by two 1' Reserves (Parts 10 and 11, Plan 62R-8070); and
 - ii. Not qualify for a Building Permit until the Vendors pay a share of the services and land costs attributed to the said roadways.
 - iii. Be separated from the roadways by the above 1' Reserves (Parts 18, 10, 11, Plan 62R-8070) until payments referred to in (ii) above are paid.
3. (a) i. That three way stop control be implemented at the intersection of San Remo Drive and Lavina Crescent; and
- ii. That by-law 66-100 be amended accordingly.
- (b) i. That a stop sign be erected to control westbound traffic on Elmwood Avenue at West 33rd Street, such that the intrersection will be controlled by a three-way stop; and
- ii. That by-law 66-100 be revised accordingly.

4. That in accordance with the request by the Hamilton Street Railway Company, the following bus stop relocation be approved:

INBOUND - Delete - Grenfell at Beach
 - Add - Beach at Holly (F/S)

5. (a) i. That parking be prohibited on both sides of East 21st Street between MacLennan Avenue and a point 280 feet southerly therefrom; and
- ii. That by-law 66-100 be amended accordingly.
- (b) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of East 24th Street between Concession Street and Crockett Street.
6. That the fee charged for boulevard parking for commercial, institutional and industrial land uses, be established at \$50 per space, per annum, up to two spaces and \$25 per space for each parking space over two, to a maximum of ten spaces.

Any request for parking spaces over 10 is to be brought before the Transport and Environment Committee where a determination of the fee to be charged will be made.

7. That a School Traffic Officer be assigned to the intersection of Mohawk Road and Terrace Drive on a trial basis, from the date of this resolution until the end of the school term.

NOTE: Funds to be taken from Account No. 0347-0119 - School Traffic Officers.

8. (a) That the Terms of Reference for a comprehensive Northend/Waterfront Traffic Study, appended hereto, addressing appropriate alternatives to resolve present and future traffic circulation problems in the northend, be approved; and
- (b) That the staff of the Traffic, Planning, Transportation and City Architect's Departments, undertake the study and report back to the appropriate committee(s) with recommendations for implementation; and
- (c) That the terms of reference for the Northend/Waterfront Traffic Study be forwarded to the Transportation Services committee of the Region for approval for Regional involvement as required; and
- (d) That the staff of the Traffic Department be directed to investigate the feasibility of opening Stuart Street from James Street to Bay Street for use as an alternative route through the northend neighbourhood; and

- (e) That Bay Street be placed on the list of streets to be studied by the Truck Route Subcommittee, which is a subcommittee of the Regional Transportation Services Committee.

NOTE: At the Monday, March 17, 1986 meeting of the Transport and Environment Committee it was the decision of the committee to not approve the recommendations of the Planning and Development Committee to:

- i. Temporarily close Bay and MacNab Streets; and
 - ii. Implement the temporary closure on a permanent basis as a solution or partial solution to both immediate and long-term traffic problems in the northend.
9. (a) That the existing stop signs for eastbound and westbound traffic on Britannia Avenue at Julian Avenue be removed; and
- (b) That the Hamilton-Wentworth Regional Police Department be requested to provide additional enforcement of illegal truck traffic on Britannia Avenue between Strathearne Avenue and Parkdale Avenue.
10. That the application of Mr. F. J. Lee on behalf of the owner(s) of 414 Victoria Avenue North, Otis Canada Inc. to retain the following inadvertent encroachment on the road allowance of Ferrie Street consisting of the following:
- steps, 2.2m (7.3') by 1.77m (5.8') and
 - two (2) air vents, each 0.3m (1.0') by 0.91m (3.0')

be approved, during the pleasure of Council, provided:

- (a) That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
11. That the application of Mr. P. R. Tice on behalf of the owner(s) of 33 Dalkeith Avenue, Hamilton East Kiwanis Non-Profit Homes Inc., to retain an inadvertent encroachment on the road allowance consisting of a wood porch, 0.61m (2.0') by 4.57m (15.0') be approved, during the pleasure of City Council, provided:
- (a) That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.

(b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

12. (a) That the engineering schedules for the estimated cost of services in "Courtland Estates" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the City's share for the cost of services for this development (\$51 322.93) be charged to the Reserve for Services through Unsubdivided Lands Account No. 0280-12; and

TYPE OF WORK	AMOUNT TO BE FINANCED
Catch basins & Connections	\$1 184.68
Final Roads	48 234.30
Street Lighting	1 903.95
TOTAL	\$51 322.93

(c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and

(d) In the event that the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.

13. (a) That Item 3 of the Transport and Environment Committee Report 3-80, as adopted by City Council on February 26, 1980, respecting the cost of services for Ridgeview Estates - Phase 1, be rescinded; and

(b) That the engineering schedules for the revised estimated cost of services in "Ridgeview Estates - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(c) That the City's share for the cost of services for this development (\$37 165.70) be charged to the Reserve for Services through Unsubdivided Lands Account No. 0280-12; and

TYPE OF WORK	AMOUNT TO BE FINANCED
Final roads	37 165.70
TOTAL	37 165.70

- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and
 - (e) In the event that the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.
14. (a) That the "Women's World" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from October 27, 1986 to November 3, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: Banner Message Content

"Women's World '86 - Hamilton Convention Centre. October 31, November 1 and November 2, 1986."

- (b) That the "Canadian Football Hall of Fame Induction Committee" be permitted to display a promotional banner across Main Street West, in front of City Hall, from October 20, 1986 to October 27, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: Banner Message Content

"Welcome Hall of Famers and Inductees to the Football Hall of Fame Induction Weekend".

- (c) That the Hamilton-Wentworth Regional Police be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 12 to May 19, 1986 and November 3 to November 10, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: Banner Message Content

May 12 to May 19, 1986 - "National Police Week"
November 3 to November 10, 1986 - "National Crime Prevention Week"

- (d) That the "The Canadian Red Cross Society" be permitted to display a promotional banner across Main Street West, in front of City Hall, from March 24, 1986 to March 31, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: Banner Message Content

Red Cross Logo and the words "Red Cross Ready!"

16. That the Toronto Sun be permitted to place newspaper vending boxes on City of Hamilton road allowances, in accordance with By-law No. 84-40 amending Streets By-law No. 9329 respecting Print Media Vending or Distribution Boxes, approved by Council on February 29, 1984.
17. (a) That the construction of a concrete alley in the block bounded by Kensington Avenue, Roxborough Avenue, Rosslyn Avenue and Dunsmure Road as a local improvement on Petition pursuant to Section 11 of The Local Improvement Act, be approved; and
- (b) That the City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act; and
- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received; and
- (d) That the Executive Committee determine the method of financing.

NOTE: The proposed work consists of a 3.66m wide concrete alley in the block bounded by Kensington, Roxborough, Rosslyn and Dunsmure Road (Project No. 801-63H).

Total estimated cost \$48 800.

Owners share \$20 108.38

City's share \$28 691.62

Estimated subsidy - nil

Reduction under Section 29 of The Act - 27.453m - \$1 618.37.

Estimated cost per meter \$59 (Executive Committee to determine method of financing).

18. (a) That the Commissioner of Transportation be authorized to issue two (2) purchase orders, once the current budget is approved, on behalf of the City of Hamilton as follows:

CN RAIL	\$39 000
T.H. & B. RAILWAY	\$51 300

for annual maintenance of automatic protection at level railway crossings on City of Hamilton Streets for 1986..

- (b) That the expenditures be charged to Account No. 0352-0361 (Railway Crossing Maintenance).

NOTE: There are currently thirty-five (35) railway crossings on City streets, protected with either bells and lights, or bells,

lights and gates. This automatic protection must be maintained constantly according to standards set by the Canadian Transport Commission (CTC) in Ottawa. In addition, the CTC has issued individual Board Orders for each crossing which specify the party responsible for performing the maintenance and the sharing of the associated costs.

19. (a) That the City accept the road widening on the east side of Garth Street from Barton Heights Sod Farms at a price of one (1) dollar, with the description of the widening to be prepared by the Regional Surveyor

NOTE: The City's Official Plan calls for a widening of Garth Street from Claudette Gate to Rymal Road. This is a City Street. The widening is to be 27 feet.

Barton Heights Sod Farms had been discussing the transfer of the widening to the City. They now have contracted to sell their lands to St. Elizabeth Home Society of Hamilton, with the condition that the widening be conveyed to the City prior to the sale closing. The sale to the City is to be for one (1) dollar.

- (b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate into Rochelle Avenue two 1' strips of land being, Part 1 Plan 62R-4703 and a portion of Block "GX" Plan M-135.

NOTE: The City of Hamilton is the owner of Part 12, Plan 62R-4703 and the remaining portion of "GX", Plan M-135 (Not already in the Street).

The land owner to the west of and adjacent to the subject lands is awaiting the registration of this by-law so that the proposed subdivision plan to be known as Quincy Court can be registered.

- (c) That the City Solicitor be authorized and directed to prepare a by-law to widen Limeridge Road by incorporating therein Part 1, Plan 62R-5958.

NOTE: The City of Hamilton is the owner of Part 1, Plan 62R-5958 and although it was acquired in October, 1981 for the intersection of Kingfisher Drive with Limeridge Road, it was never incorporated into a street allowance.

20. That the application of the Hamilton Cycling Club, to hold a cycle race on Sunday, April 13, 1986, from 10:00 o'clock a.m. to 2:00 o'clock p.m., on the following streets be approved:

Macklin Street, from Dufferin Street to Longwood Road; and
Longwood Road from Macklin Street to Dufferin Street; and
Dufferin Street, from Macklin Street to Longwood Road,

subject to the following conditions:

- (a) That all signing and barricading will be subject to the direction of the Regional Police Department, and at no cost to the City.
- (b) That clean-up will be carried out immediately before the reopening of City Roads, at no cost to the City.
- (c) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses, and loss, prior to the race taking place.
- (d) That the organizing group reimburse the Regional Police Department, Department of Public Works, and any other public agencies, or any extra costs incurred by these agencies as a result of this race event.

NOTE: Although there is no written policy, it has been Council's practice to approve similar requests, provided that there is no cost to the City as a result, and that the events are under the supervision of Regional Police.

21. That leave be granted to introduce the following bills:

- (a) B-24 - By-law to incorporate Parts 1 and 2, Plan 62R-5676 into the road allowance of Limeridge Road East.
- (b) B-25 - By-law to amend by-law 66-100 to Regulate Traffic.
- (c) B-26 - By-law to amend by-law 66-100 to Regulate Traffic.

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary
attchms.

1986 March 17

NORTH END/WATERFRONT TRAFFIC STUDY

TERMS OF REFERENCE

INTRODUCTION

On October 21, 1985, City Council approved the Hamilton Waterfront Master Plan, in principle, with implementation subject to acceptable funds being available from the Federal and Provincial Government, and a list of 14 issues to be resolved. Three of those issues involve traffic considerations. They are:

- (i) That the Planning and Traffic Departments report upon the impact of the Waterfront Plan on development and on traffic requirements for the area.
- (ii) That the Transport and Environment Committee be requested to implement the 'North End Traffic Improvement Study' to deal with the present traffic situation.
- (iii) That the extension of the proposed perimeter road from Wellington Street to Bay Street be given high priority and that the corresponding changes be made to the plan to improve Guise Street but maintain it as a two lane street.

Item (i) entails an evaluation of the Traffic Consultant's recommendations in the Waterfront Master Plan, and recommendations for changes to those recommendations.

Item (ii) entails a resolution of problems created by the existing traffic situation, particularly P.M. rush hour and truck traffic on Burlington and Bay Streets. The issue of closures of Bay Street at Simcoe Street and MacNab Street north of Strachan Street must be resolved at an upcoming joint meeting of Planning and Development Committee and Transport and Environment Committee before the study proceeds.

Item (iii) involves planning and design, Environmental Assessment, and consideration of construction of the proposed Perimeter Industrial Road or a portion thereof.

PURPOSE

A study is required to examine initiatives and recommend the most appropriate alternative(s) to resolve existing and future traffic circulation problems in the North End. A prime consideration is to ensure that adequate access is provided to the waterfront, while at the same time ensuring that the major waterfront development proposed does not create negative traffic impacts on the existing residential neighbourhood.

APPROACH

Initiatives to be examined include:

1. The upgrading of existing streets such as Wellington and Strachan to create a North End by-pass and facilitate access to the waterfront at Simcoe.
2. The creation of a new shore road between Guise and Simcoe and improvements to the Dock Service Road.
3. Any other proposals deemed appropriate which may arise during the course of the study.

Alternatives would be generated from the examination of the initiatives. These initiatives are not mutually exclusive and should be examined either individually or in concert with each other where appropriate to achieve the optimum solution.

Each alternative should then be examined from the aspects of:

- a) impact on the traffic circulation system (Traffic);
- b) estimated changes in traffic volumes on residential streets (Traffic);
- c) contribution to fulfilling the objectives of the North End Waterfront Secondary Plan (Planning);
- d) impact on existing and proposed future land uses i.e. Pier 4 Park, James Street commercial strip (Planning);
- e) ease of access to the waterfront (Traffic, Transportation);
- f) cost (Transportation);
- g) probable timing and relationship of traffic and engineering aspects to the various phases of the waterfront park development (Traffic, Transportation and Planning); and
- h) environmental impact on the neighbourhood and adjacent areas (Planning).

The construction of any portion of the Perimeter Industrial Road, or a "pre-build" section of the road built to a lesser standard would entail the planning and design and Environmental Assessment of the entire Perimeter Industrial Road - a long and costly process. The Perimeter Road issue should be separate from this study and from the Waterfront Plan, as planning design, hearings, etc. could add years to the implementation time frame of the Waterfront Plan.

STUDY AREA

The study area is the North End between Victoria Avenue and the water's edge, north of the southern boundary of the CNR right-of-way. Assessment of traffic impacts may extend beyond this area where appropriate.

STUDY TEAM

The study team will consist of the Traffic Department, Transportation Planning Department and Planning and Development Department. This team will collect and analyze data, specify the costs and benefits of each alternative or group of alternatives, draw conclusions and recommend the most appropriate course of action.

The study team will report to a steering committee consisting of the City Architect, Director of Local Planning, Direction of Transportation Planning and Director of Traffic Services prior to preparation of recommendations.

APPROVAL PROCESS

Recommendations will be presented to the Planning and Development Committee, and Transport and Environment Committee for authorization for a public meeting. Comments will be requested. Final recommendations will be presented to the appropriate Committees and Council, and implemented as necessary.

TIMING

The study should be completed by May 1986.

RC:jd
W.P. 2135P

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its Ninth Report for 1986 and respectfully recommends:

1. (a) That an Offer to Purchase City owned lands west of 83 Jones Street, executed by William P. Stables on 1986 February 27 and scheduled for closing on 1986 May 28 be approved and completed.
- (b) That the Landscaping Lease for the City lands west of 83 Jones Street, executed by William P. Stables on 1977 February 9, be terminated effective 1986 May 28.

NOTE: This property has a frontage along the southerly limit of Jones Street of 22 feet (6.71 metres), more or less and contains 2,253 square feet (686.78m²), more or less. Proceeds of this sale in the amount of \$3,500. are to be credited to account 0280-11. A certified deposit cheque in the amount of \$350. is being held by the City Treasurer, pending approval of this transaction.

It is understood and agreed that a portion of the property covers a slope which is regulated under Ontario Regulation 165/80 and no fill can be placed on the slope unless an Authority permit has been obtained beforehand.

This lease was approved by City Council on 1977 February 8, Item 9 of the Sixth Report of the Board of Control. The annual rental is \$10 per year, plus taxes at an estimated cost of \$90.

2. That M. Copeland Productions be retained to provide Public Relations Services for 1986 for the Special Events in accordance with specifications issued by the Director of Purchasing and Vendor's tender, at a cost not to exceed \$16,950.

NOTE: A breakdown of costs include a fee charge of \$3,000. and an advertising cost \$13,950., for a total of \$16,950. Lower service fee of two (2) acceptable proposals. Funding provided in Account 0367-0254.

3. That Hamilton Wentworth Creative Arts be awarded the Contract for Summer Concerts in Gage Park for 1986 in accordance with specifications issued by the Director of Purchasing and Vendor's Proposal for a total not to exceed \$14,700. The successful bidder will be required to enter into a contract satisfactory to the City Solicitor.

NOTE: Best of three (3) proposals received. Funding available in Account 0367-0261.

4. (a) That approval be given to the Concession Street Business Association to conduct a "Summer Festival" to include a Bavarian Garden & Dance, in Mountain Brow Park on Saturday, 1986 July 19, between the hours of 3:00 p.m. - 11:00 p.m.
- (b) That the applicant assume responsibility for meeting terms and conditions which include the following:
- (i) A minimum of \$2 million dollars insurance to be provided, naming the City as co-insured.
 - (ii) Police Security, satisfactory to the Hamilton-Wentworth Regional Police be provided.
 - (iii) Licence for purpose of selling alcoholic beverages be obtained through the L.L.B.O.
 - (iv) Arrangements to be made for the sale of food and refreshments which meet the approval of the Health Department.
 - (v) All City costs directly incurred as a result of this special event be the responsibility of the applicant.
 - (vi) That the Parks Division approve the location of the Bavarian Garden.

NOTE: The above terms have been discussed with and agreed upon by the applicant. This is the 3rd such event sponsored by the Concession Street Business Association.

5. (a) That a Parks Development Priorities Study be undertaken at an estimated cost of \$17,000.
- (b) That the Finance Committee recommend the method of financing the gross cost of \$17,000.

NOTE: City Council on 1986 January 14, adopted a resolution directing the Parks Expenditure Advisory Sub-Committee to prepare a priority program for parks development and make recommendations on the use of 5% parks fund for development. It is estimated that the gross cost of the project is \$17,000. using students to collect the data, analyze the situation and prepare maps. The City, through the Local Planning Department, may be able to find a subsidy for the work through the Challenge '86 Program. Grants or subsidies may be available to off set the City's costs.

6. That the request from Mr. M. Fichman, General Manager of the Miami Marlins for an Option on the use of Ivor Wynne Stadium for a New York Penn League in the 1987 Season be approved, with the Option expiring on 1986 December 31.

NOTE: The Parks and Recreation Committee at its meeting on 1986 March 17, requested that the Stadium Sub-Committee monitor this option and advise the Committee as to what changes may be required in order to facilitate baseball at Ivor Wynne Stadium.

7. (a) That Mr. Edward Tadgell be allowed a variance to the Building Code to increase the exposed unprotected building face of his new home on 4 Belvidere Avenue, located along side the westerly boundaries of Sam Lawrence Park, conditional upon Mr. Tadgell agreeing that due to the increased window area, he would in no way hold the City responsible for any damage occurring to this glass area.
- (b) That an agreement between the Corporation of the City of Hamilton and Mr. Tadgell be drawn up by the City Solicitor stating that if any time the City sells that portion of the park for a building, or planned the construction of a park building in this location, Mr. Tadgell would fill in the extra window area, down to the Building Code Stand of (7%).

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale
Secretary
Parks and Recreation Committee
1986 March 18

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its SEVENTH Report for 1986 and respectfully recommends:

1. A. (a) That approval be given to the proposed draft plan of subdivision, Application SA-85-19, Marz Homes Ltd., owner, to establish a plan of subdivision in the area north of Limeridge Road East, west of Upper Sherman Avenue subject to the following conditions:
 1. That this approval apply to the revised plan dated 1985, October 21 prepared by A. J. Clarke and Associates, showing 27 lots, a block for future development, three blocks for 0.3 m reserves, further revised to establish radii at certain street locations as shown on the approved plan.
 2. That the road allowances be dedicated as public highways on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That the final plan conform with the zoning by-law approved under The Planning Act.
 5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

8. That the dead-end of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
 9. That Block 28 be developed only in conjunction with abutting lands.
 10. That Block 29, Block 30 and Block 31 be conveyed to the City of Hamilton and be held by the City until required for development of abutting lands.
 11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-19), Marz Homes Ltd., owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

B. That approval be given to Zoning Application 85-98 Marz Homes Ltd., owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located in the area north of Limeridge Road East, and west of Upper Sherman Avenue, as shown on the attached plan marked as APPENDIX "A" on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District maps E-27A and E-27B;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The By-law provides for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located in the area north of Limeridge Road East and West of Upper Sherman Avenue as shown on the attached plan marked as APPENDIX "A".

The effect of the By-law is to permit the subdivision of the land for the purpose of constructing single-family detached dwellings.

2. That approval be given to Zoning Application 86-05, Ronald and Diana Brown, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to accommodate the future subdivision of the property to create two single-family building lots at the rear of the property municipally known as No. 1003 Stone Church Road East, as shown on the attached plan marked as APPENDIX "B", on the following basis:
- (a) The subject property be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E49C; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the property located at No. 1003 Stone Church Road East, as shown on the attached map marked as APPENDIX "B".

The effect of the By-law is to permit the future creation of two building lots at the rear of the subject property for single-family detached buildings.

3. That approval be given to Zoning Application 86-07, Jutta Custodio, owner, requesting a further modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, to permit a hairdressing business, operated as a home occupation, from within the existing dwelling, for the property located at No. 110 Limeridge Road West, as shown on the attached plan marked as APPENDIX "C", on the following basis:
1. That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District regulations, as contained in Section 10 of By-law No. 6593, applicable to the subject property, be modified to include the following as special requirements:
 - (a) That notwithstanding the provisions of Sections 2.(2)H.(iii)(f) and (h) of By-law No. 6593, hairdressing shall be permitted as a home occupation:
 - i) carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 - ii) providing for not more than one comb-out centre and one hair styling sink.
 2. That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-121a, and that the subject land on Zoning District Map W9A be notated S-121a;
 3. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W9A; and,
 4. That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District regulations applicable to the property located at No. 110 Limeridge Road West, as shown on the attached map marked as Appendix "C".

The effect of the By-law is to permit a hairdressing business, operated as a home occupation for one hairdresser only. In addition, the By-law limits the hairdressing business to one comb-out centre and one hair styling sink.

4. A. (a) That approval be given to Application SA-85-24, Slobodan Kostic, owner, to establish a draft plan of subdivision on the west side of Eleanor Avenue and south of Stone Church Road East, subject to the following:
1. That this approval apply to the plan prepared by Corrado Planning and Development Services, dated 1985 November 25, revised to show 11 lots, one block for road widening and one block for development in conjunction with adjacent lands.
 2. That the road allowances and the widening for Stone Church Road East be dedicated as public highway on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That the proposed subdivision conform with the Zoning By-law approved under The Planning Act.
 5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 8. That Block 12 be developed only in conjunction with adjacent lands.
 9. That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
 10. That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive noise.

- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-24), Slobodan Kostic, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- B. That approval be given to Zoning Application 85-103, Slobodan Kostic, owner, for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the south west corner of Stone Church Road East and Eleanor Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:
- i) That the lands shown as Block 1 be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
 - ii) That the lands shown as Block 2 be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District;
 - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C;
 - iv) That the Eleanor Neighbourhood Plan be amended by redesignating the subject lands from "Multi-Centre" designation to a "Single and Double" residential designation;
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located at the south-west corner of Stone Church Road East and Eleanor Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- Block 1 - change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.

Block 2 - change from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit the subdivision of the lands for the purpose of constructing single-family dwellings.

5. A. That Zoning Application 86-04, 501781 Ontario Limited operating as Fleetwood Ambulance, owner, requesting a change in zoning from "G-3" (Public Parking Lots) District to "H" (Community Shopping and Commercial, etc.) District of property located at No. 342 Jackson Street West, be denied for the following reasons:

- i) Approval of the application for straight "H" zoning is contrary to the intent of the previous zoning application (ZA-83-70) which was to use the lands only for parking purposes. The proposal, if approved, would permit a wide variety of commercial uses which is not desirable at the location, as well as possible expansion of commercial development on the site in question;
- ii) The proposal does not provide any privacy or protection in the form of a 1.5 metre wide landscaped strip and a visual barrier for the adjoining lands within a "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District which was a requirement of the By-law; and,
- iii) Approval of the application as proposed could establish an undesirable precedent for future similar applications to extend commercial zoning.

- B. That approval be given to an amended Zoning Application 86-04, 501781 Ontario Limited operating as Fleetwood Ambulance, owner, for a modification to the "H" (Community Shopping and Commercial, etc.) District; and, a further modification to the established "G-3" (Public Parking Lots) District regulations for property located at No. 87 Locke Street South (Block "1") and No. 342 Jackson Street West (Block "2") as shown on the attached plan marked as APPENDIX "E" on the following basis:

- i) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 applicable to the lands described as Block "1" be modified to include the following variance as a special requirement:
 - i) That Section 14.(3)(iii)(c) shall not apply.

- ii) That the "G-3" (Public Parking Lots District regulations as contained in Section 13C of Zoning By-law No. 6593 as amended by By-law No. 84-56, applicable to the lands described as Block "2" be further modified to include the following variance as a special requirement:
 - i) That Section 2 of By-law No. 84-56 be repealed and the following substituted therefore:
 - (a) a landscaped area not less than 1.0 metre wide shall be provided and maintained along the easterly lot line adjoining the "D" District.
 - (b) That notwithstanding the provisions of section 13C(1)(ii) of By-law No. 6593 the existing ambulance service building located on abutting lands at No. 87 Locke Street South may be expanded onto the subject lands by a maximum of 2.50 m.
 - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-855A, and that the subject land on Zoning District Map W-13 be notated S-855A;
 - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13; and,
 - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District; and, a further modification to the established "G-3" (Public Parking Lots) District regulations applicable to property located at No. 87 Locke Street South (Block "1") and No. 342 Jackson Street West (Block "2"), as shown on the attached plan marked as APPENDIX "E".

The effect of the by-law is to:

- a) delete the requirement of a 4.5 metre (14.76 ft.) rear yard for the proposed second storey building addition within the portion of lands zoned "H" (Community Shopping and Commercial, etc.) District (Section 14.(3)(iii)(c); and,

- b) to permit the encroachment of a building extension onto lands within a "G-3" (Public Parking Lots) District by a maximum of 2.50 m (8.20 ft.), (Section 13C(1)(ii)).
 - c) reduce the required 1.5 m wide landscaped area along the easterly lot line to a 1.0 m width (Section 2(a) By-law No. 84-56).
- 6.
 - a) That notwithstanding Council directive to the City Solicitor in Item 22 of the 14th report of the Planning and Development Committee of July 3, 1984, the City Subdivision Agreement dealing with "Paradisé Green", Hamilton File No. SA-79-03, owners J. A. Parente and M. Pestana-Roca not require maintenance easements.
 - b) That the City Solicitor be directed to execute the subject subdivision agreement accordingly.

EXPLANATORY NOTE:

The lands in question are presently subject to a rezoning application from an "R4" (Small Lot Single-Family) District to a "C" (Urban Protected Residential, etc.) District. Land zoned "R4" permits zero lot line development and requires maintenance easements in accordance with direction of City Council.

However, if the zoning is changed so that zero lot line subdivisions are no longer permitted, then the maintenance easements would not be a requirement of this Subdivision Agreement. In the event that the subject land would be processed as Zero Lot Line Development, maintenance easements can still be achieved by a Part Lot Control by-law subject to City Council approval.

- 7.
 - a) That the attached Terms of Reference attached hereto as APPENDIX "F" for the Industrial Advisory Board be adopted by Council.
 - b) That the attached list of preliminary planning issues attached hereto as APPENDIX "G" be referred to the Industrial Advisory Board for its initial consideration.
 - c) That the Hamilton-Wentworth Planning and Development Department be directed to contact the proposed members of the Industrial Advisory Board to ascertain their interest in participating.

EXPLANATORY NOTE:

City Council, at its meeting held 1985 October 29, approved the creation of an "Industrial Advisory Board". Further, Council directed staff to prepare a "Terms of Reference". Staff were also directed to indentify, on a preliminary basis, some issues for discussion by the Board.

8. a) Proposed Amendment No. 13 to the Hamilton-Wentworth Official Plan be endorsed as it will have no effect on the City of Hamilton; and,
- b) The City Clerk be directed to so advise the Ministry of Municipal Affairs.

EXPLANATORY NOTE:

The Ministry of Municipal Affairs has requested the City's comments on proposed Amendment No. 13 to the Hamilton-Wentworth Official Plan. The purpose of this amendment is to incorporate "alternative notice" procedures into the Official Plan. The City had previously commented to the Region that a draft of this Amendment would "have no effect on the City of Hamilton." Some revisions have been made since the draft Official Plan Amendment was considered by City Council, however, the basic intent of the Amendment remains the same.

9. Demolition Permits

That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

- (a) 675 Upper Paradise Road
- (b) 18 Agnes

10. That the provisions of Demolition Control By-law No. 74-290 be applied to the listed building at 95 Duke Street.

EXPLANATORY NOTE:

Sections 33(2) of The Planning Act, 1983, provides that a municipality may by by-law designate any area within the municipality wherein a by-law prescribing standards of maintenance and occupancy is in force as an area if demolition control.

Property Standards By-law No. 74-74, prescribing standards of maintenance and occupancy was enacted by City Council of April 30, 1974, and is in force in the City of Hamilton. By-law No. 74-290 - To Establish Demolition Control provides that the area comprising the City of Hamilton is designated an area of demolition control.

Consequently, no residential property may be demolished in whole or in part, in the demolition control area, until plans for the proposed development are approved and a permit issued by City Council.

This provision is included in The Planning Act in order to give Council some control over the premature and unnecessary demolition of sound housing stock.

11. (a) That approval be given to the "Intent to Designate" the property of Pasadena Apartments at 27 Bold Street as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

EXPLANATORY NOTE:

Attached as APPENDIX "H" is a report prepared for LACAC which contains the "Reasons for Designation." The Committee wishes to advise that the property owner, Donald Morrison has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

12. That Section 17(b) of the Fourth Report of the Planning and Development Committee adopted by City Council at its meeting held 1986 February 11, be rescinded in order to allow greater efficiency and flexibility in the implementation of the Community Heritage Program.

EXPLANATORY NOTE:

Section 17(b) reads "that the owners of LACAC's "Priority List Properties", be given first opportunity to apply for the heritage loans in order to direct assistance to the City's most significant architecture".

LACAC at its meeting on 1986 February 24 approved this Initial Eligibility List (Priority Property List) and requested that the list be kept as an in-house working document to be updated as necessary.

The Department of Community Development requested that the Council directive to give first opportunity to owners of the Priority Properties be rescinded in order to stage the implementation of the program over a period of time.

13. That the Department of Community Development be authorized to process grants and or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

1. J. Pearson - 95 Kennedy Avenue
2. K. Taylor - 288 Grosvenor Avenue North
3. S. Cipolla - 179 Caroline Street North
4. W. Eastman - 85 Dodson Street
5. D. McVey - 723 Rennie Street
6. D. Harrison - 101 Locke Street North
7. A. Orlowsky - 119 Park Row South

Hamilton Rehabilitation Programme

1. T. Micallef - 86 Lister Avenue

14. (i) That, the Downtown Hamilton Action Plan Banner Programme - Plans and Specifications, dated 1986 February 27 , attached hereto as APPENDIX "I" be approved.
- (ii) That, tenders be called for the supply and installation of the banners and appurtenant fittings in accordance with the plans and specifications to which reference is made in (i), above;

- (iii) That, whereas it is proposed, due to physical site limitations, to install three (3) poles, complete with banners, on the west side of Spring Street, over and upon the lands of Denningers, Limited the City Solicitor be hereby authorized and directed to review and prepare a suitable Agreement for this purpose and, that the Mayor and City Clerk be hereby authorized to execute said Agreement, satisfactory to the City Solicitor;
- (iv) That pending approval of the Ontario Municipal Board (O.M.B.), to the method of financing Phase III-B of the Downtown Hamilton Action Plan - the approval of City Council having been given 1986 February 11 and, application to the O.M.B. made 1986 February 20 - the Finance Committee recommend a method of providing interim financing for this segment of the project at an estimated gross cost of one hundred thirty-two thousand, two hundred sixty four dollars (132 264.)
- (v) That, beyond the first period of installation (i.e., 1986 May 15 to 1986 November 03), the Traffic Department include in their 1987, and subsequent annual operating budget(s) an amount sufficient to finance the cost of installing, maintaining and adjusting, removing, cleaning and storing all banners; and,
- (vi) That, if Business Improvement Areas (B.I.A.'s) and/or other business associations within the area of implementation wish to provide, and have installed a banner for the winter season, the respective B.I.A.'s/Associations may finance the capital cost of providing same - designed in accordance with the specifications appended hereto and, satisfactory to The Committee - and, the Traffic Department shall advise, regularly, when banners are to be changed in order that the aforementioned, specialty/seasonal banners may be provided by the groups for simultaneous replacement; or, in the alternative, in the event groups wish to have the Municipally-provided banner remain in place twelve (12) months per year, suitable financial arrangements be made to assist in defraying the costs associates with a decrease in longevity.

EXPLANATORY NOTE:

For the information of the Members of City Council, the installation of banners from mid-May to the end of October should result in a life - expectancy of three (3) to five (5) years: installation throughout the Winter month would shorten the life/replacement period for the banners.

15. That the Mayor and the City Clerk be authorized to execute documents for the purpose of extending the date set out in the covenant in the Deed registered as Instrument Number 180983 C.D. for the Grantee, John F. Petis, to dedicate the lands to the City as a portion of Quincy Court Subdivision from January 15th, 1982 to July 24th, 1986.

16. That an Offer to Purchase the land of The Corporation of the City of Hamilton on the south side of Burlington Street East duly executed on February 21, 1986 by the Purchaser, Mr. Manfred Schiller and scheduled for closing on May 12, 1986, be completed.

EXPLANATORY NOTE:

The property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 40.843 m (133.99 feet) by a depth of 54.568 m/54.468 m (179.02 feet/178.7 feet) more or less and containing an area of .5501 acres more or less and more particularly described as Part 1 on Plan 62R-8072.

The purchase price is \$52,000.00. A deposit cheque in the amount of \$5,200.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay 6% real estate commission to C.I. Permanent Real Estate, whose agent, Mr. Camillo Ianieri acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out in APPENDIX "J".

17. (a) That an Option to Purchase the lands of 535596 Ontario Limited, duly executed on February 24, 1986 by the Vendor and scheduled for closing on May 9th, 1986, be completed.

This property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 30.48m (100 feet) by a depth of 60.960m/60.686 m (200 feet/199.10 feet) and containing an area of 1,846.21m² (.4562 acres) and more particularly described as Parts 1 and 2, Plan 62R-6941.

The purchase price is \$54,000.00

- (b) That a lease agreement for Parts 1 and 2, 62R-6941 between the Corporation of the City of Hamilton and 535596 Ontario Limited be executed by the Mayor and City Clerk subject to the approval of the City Solicitor.

The aforementioned numbered company is the present owner of the Sherman Hotel and they have been utilizing the subject lands for parking purposes for the hotel patrons.

The lease is for a one year period commencing May 10th, 1986 and terminating May 9, 1987 at an annual rental of \$3,965.04 plus taxes (\$3,331.42 realty) in monthly instalments of \$330.42.

The land is to be used solely for the purpose of operating a parking lot. This lease and any subsequent term for which this lease may be in force may be terminated by the Lessor or Lessee upon sixty (60) days prior notice in writing by either of them to the other.

EXPLANATORY NOTE:

In adopting Item 15 of the 21st Report of the Planning and Development Committee, City Council on October 25, 1983 approved the sale of Parts 1 and 2, 62R-6941 on Burlington Street East to 535596 Ontario Limited.

The transaction closed on January 9, 1984.

The Purchaser was to have commenced the construction of a 4,000 square foot industrial warehouse by January 12th, 1985 and completed same by January 12th, 1986.

The proposed building has not been started and the Purchaser is not in a position to commence construction. Therefore, in accordance with the covenants contained in the deed of conveyance from the City, the City can repurchase the site for the original purchase price (\$60,000) less the (\$6,000) deposit, namely \$54,000.00

The Committee is therefore recommending the repurchase of Parts 1 and 2, 62R-6941 and a temporary lease of the said lands to 535596 Ontario Ltd., until such time as the City can find a new purchaser for this site.

18. That approval be given to an amendment to the existing encroachment agreement in respect of the Sheraton Hotel to permit a glass canopy to be erected over the front entrance to the Sheraton Hotel, in accordance with the plans prepared dated August 28, 1985.

EXPLANATORY NOTE:

This glass canopy was proposed by Lakeview in September, and the design was approved by the Review Authority September 13, 1985. The Regional Municipality has agreed to permit this encroachment, and authorization is necessary from City Council to amend the existing encroachment agreement to include this roof canopy within it.

19. That permission be granted to Universal Video Projections Ltd., to locate a satellite receiving dish on the Plaza in front of Hamilton Place, on April 5, 1986, subject to provision of liability insurance satisfactory to the City Solicitor and to payment of any charges for clean-up should that be required.

EXPLANATORY NOTE:

This Company is providing the satellite receiver and screen system for the boxing event which is being shown in the Convention Centre on April 5, 1986. Permission is requested for them to bring a portable satellite dish onto the Plaza for six to eight hours during the day of operation. Similar installations have been permitted in the past, provided that satisfactory liability insurance and responsibility for clean-up is provided.

20. (a) That a cost of \$7,430, be approved for transportation and installation only of the Birks Clock, after it is refurbished and prepared at the expense of Henry Birks and Sons; as quoted by Claude Neon Signs Ltd.
- (b) That the Finance Committee be requested to recommend the method of financing the cost of transportation and installation.
- (c) That the City accept responsibility for the cost of power supply and maintenance for the clock in return for Birks' agreement that the clock will not be removed from this location except upon prior agreement of the City.

21. (a) The Corporation of the City of Hamilton accept the revised sum of \$20,152.57 as cash payment in lieu of 5% Parkland dedication in connection with "Aspen Estates - Phase 4," final plan of subdivision.
- (b) Item 16 of the Planning and Development Committee Report 4-86 as adopted by City Council on February 11, 1986 be rescinded;

EXPLANATORY NOTE:

These lands are located east of Upper Wentworth Street between Stone Church Road East and southpark Avenue, in the Rushdale Neighbourhood, Hamilton.

22. (a) The Corporation of the City of Hamilton accept the revised sum of \$12,396.64 as cash payment in lieu of 5% Parkland dedication in connection with "Quincy Court" final plan of subdivision.
- (b) Item 23 of the Planning and Development Committee Report 1-86 as adopted by City Council on December 10, 1985, be rescinded.

EXPLANATORY NOTE:

These lands are located west of Rochelle Avenue and north of Stone Church Road East, in the Quinndale Neighbourhood, Hamilton.

23. That leave be granted to introduce the following Bills

- | | |
|------|---|
| D-30 | By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the South Side of Limeridge Road East, Between Upper Sherman Avenue and the Hydro Transmission Corridor. |
| D-31 | By-law to Amend Zoning By-law No. 83-271 Respecting Land Located at Municipal No. 660 Upper James Street. |
| D-32 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 263 Mohawk Road West. |

- D-33 By-law to Remove Part of "Rolga Heights"
Registered Plan of Subdivision from Part-Lot
Control.
- D-34 By-law to Amend Zoning By-law No. 6593 Respecting
Land Located at Municipal No. 87 Augusta Street.
- D-35 By-law to Amend Zoning By-law No. 6593 Respecting
Lands in the Block bounded by Upper Gage Avenue,
Lockton Crescent, Lawson Street and Edwina Place.
- D-36 By-law to Amend Zoning By-law No. 6593 Respecting
Land Located at South West corner of Mohawk Road
West and Upper Horning Road

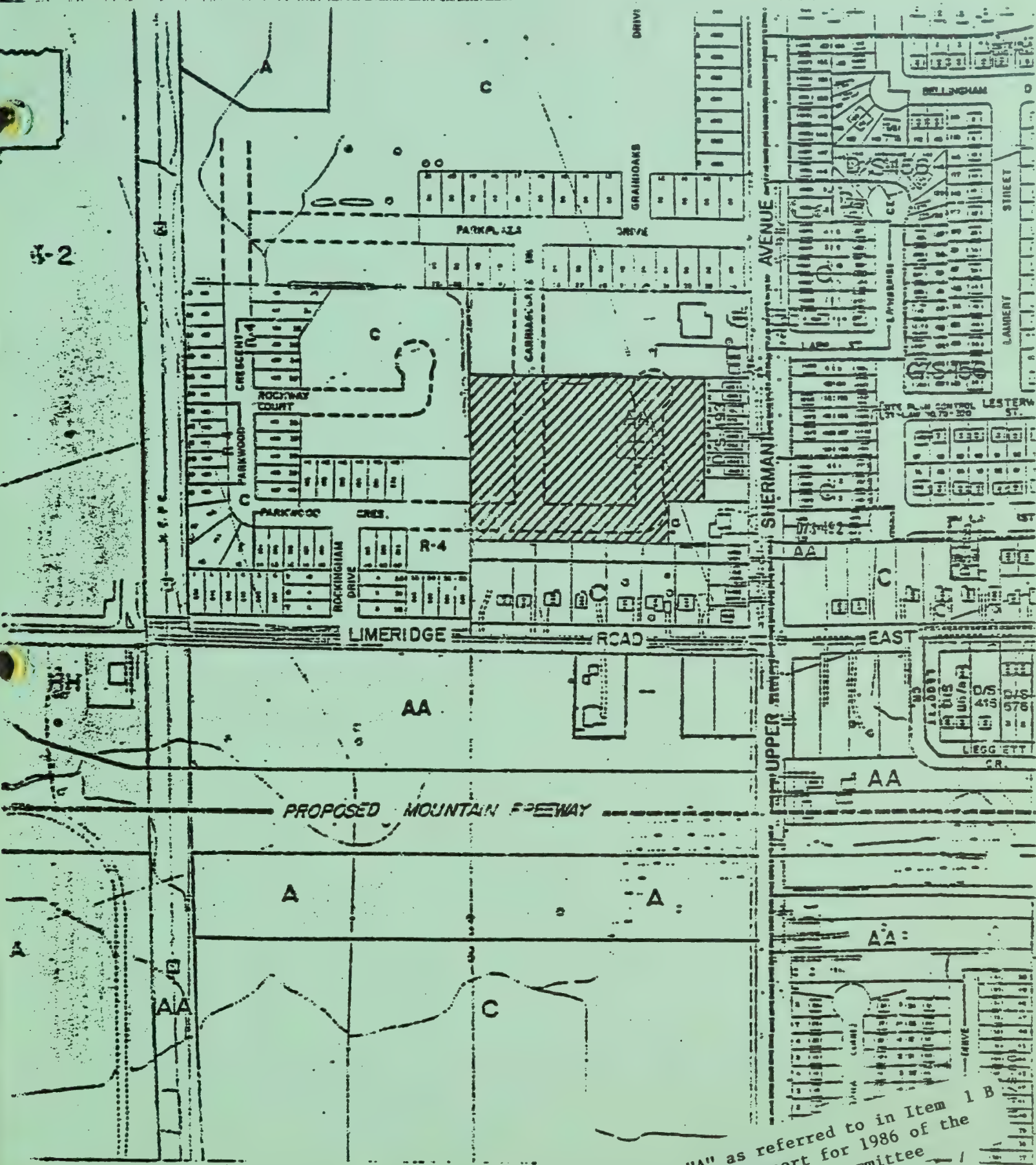
Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee

JDT:tb

3-2



LEGEND

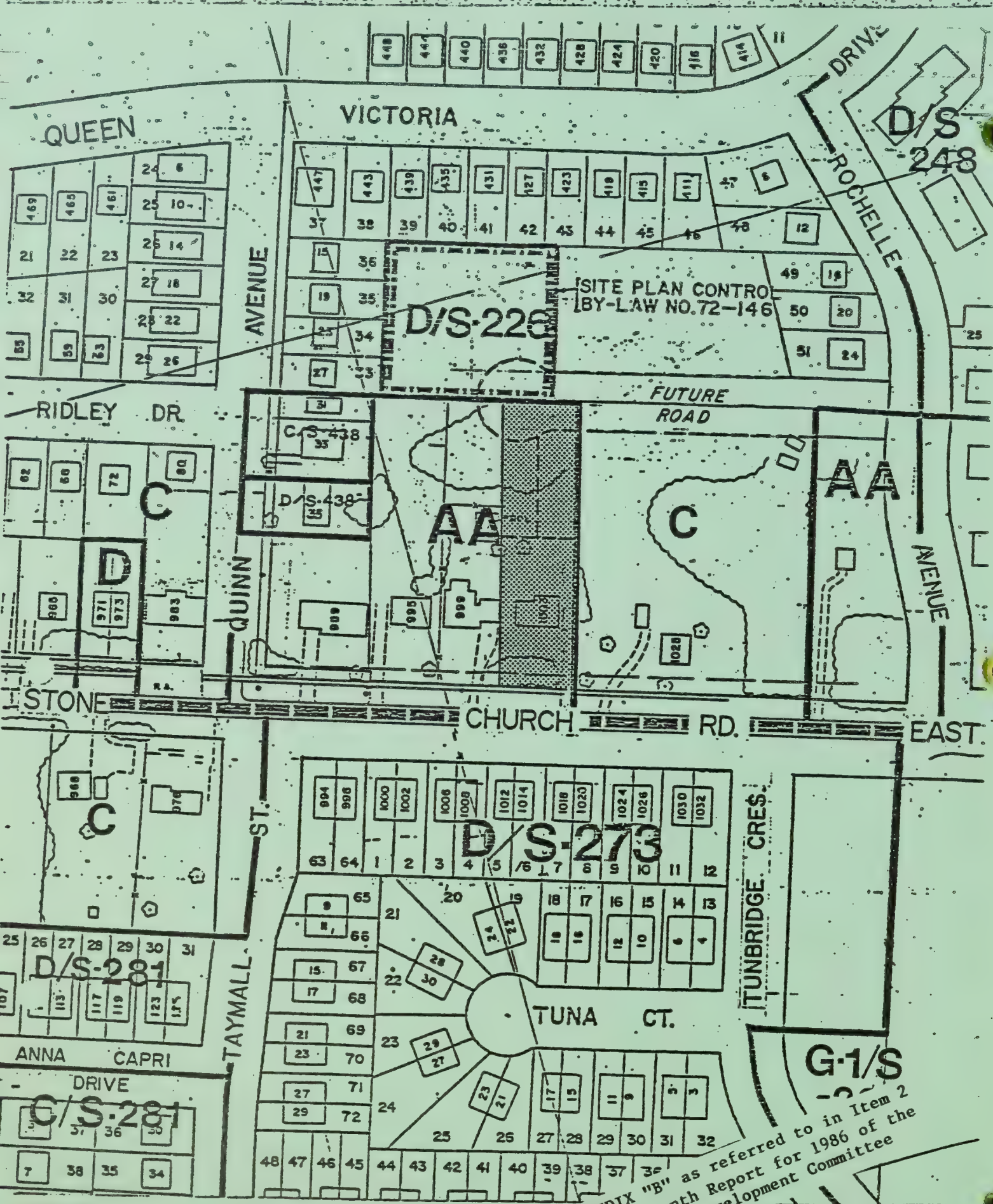


SITE OF THE APPLICATION

APPENDIX "A" as referred to in Item 1 B
of the Seventh Report for 1986 of the
Planning & Development Committee

2433-98





APPENDIX A

LEGEND:

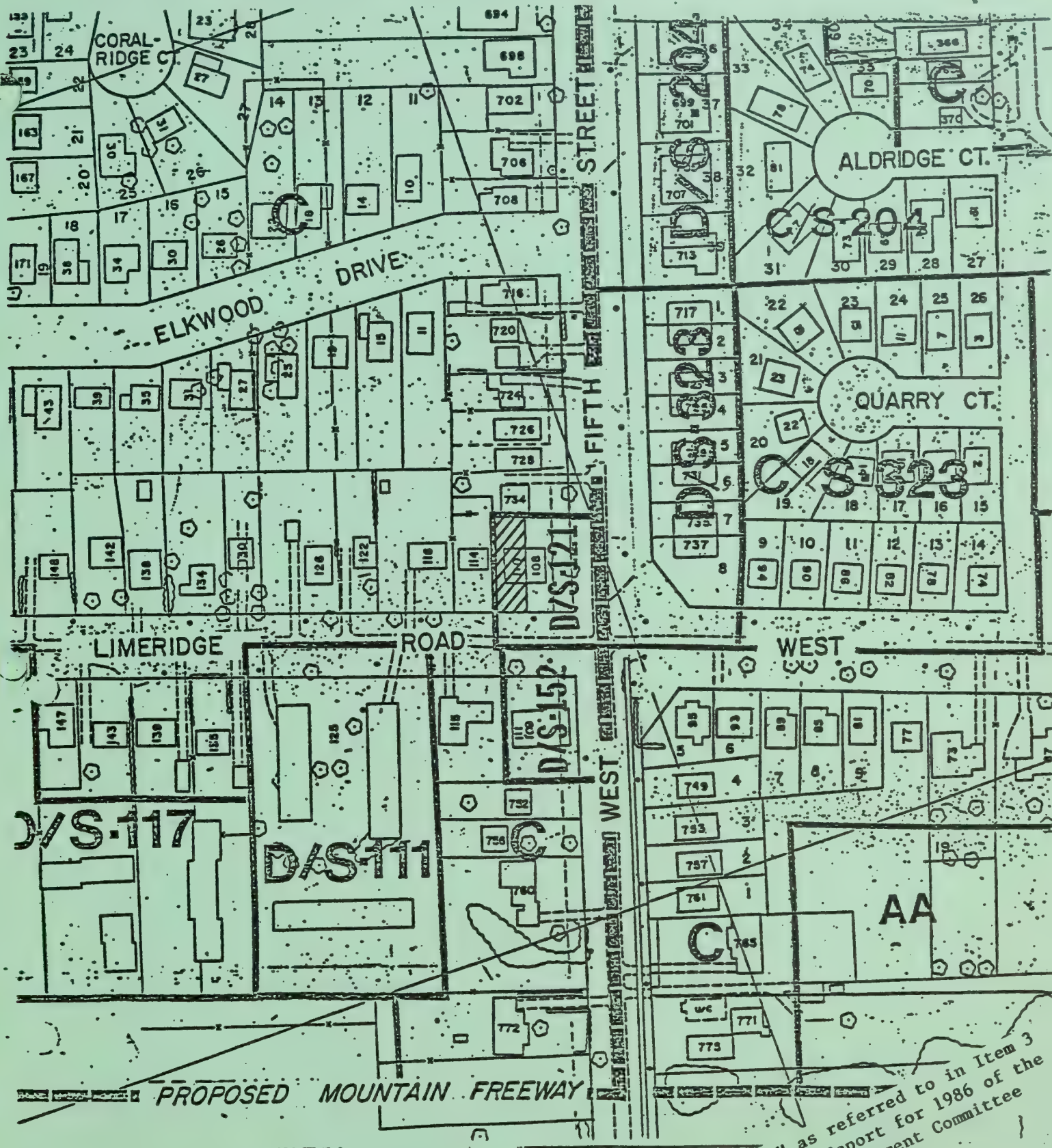


SITE OF THE APPLICATION

APPENDIX "B" as referred to in Item 2
of the Seventh Report for 1986 of the
Planning and Development Committee

Z486-05





APPENDIX A

LEGEND:

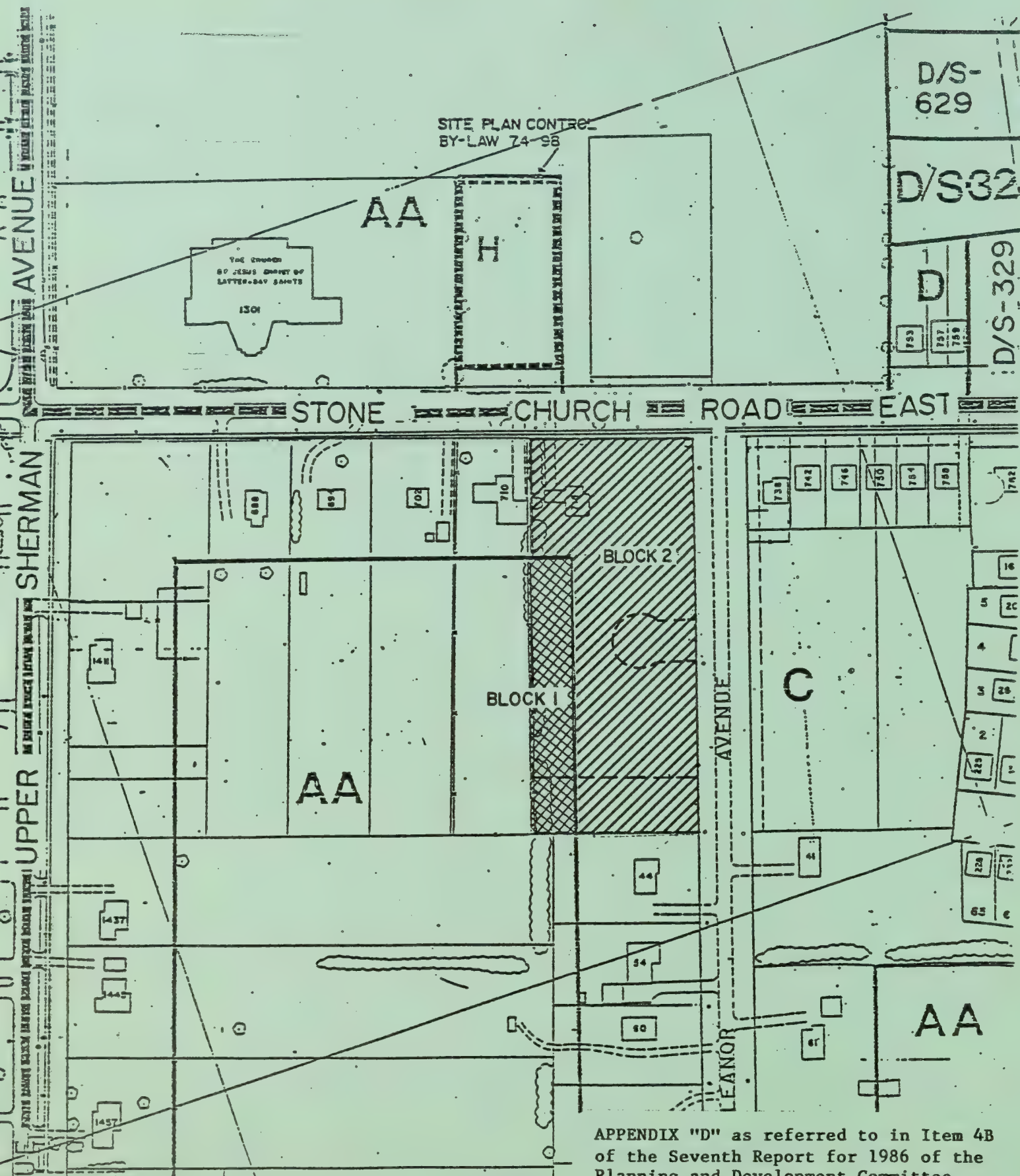


SITE OF THE APPLICATION

APPENDIX "C" as referred to in Item 3
of the Seventh Report for 1986 of the
Planning and Development Committee



ZA86-07



APPENDIX "D" as referred to in Item 4B of the Seventh Report for 1986 of the Planning and Development Committee

CHI-CRM7

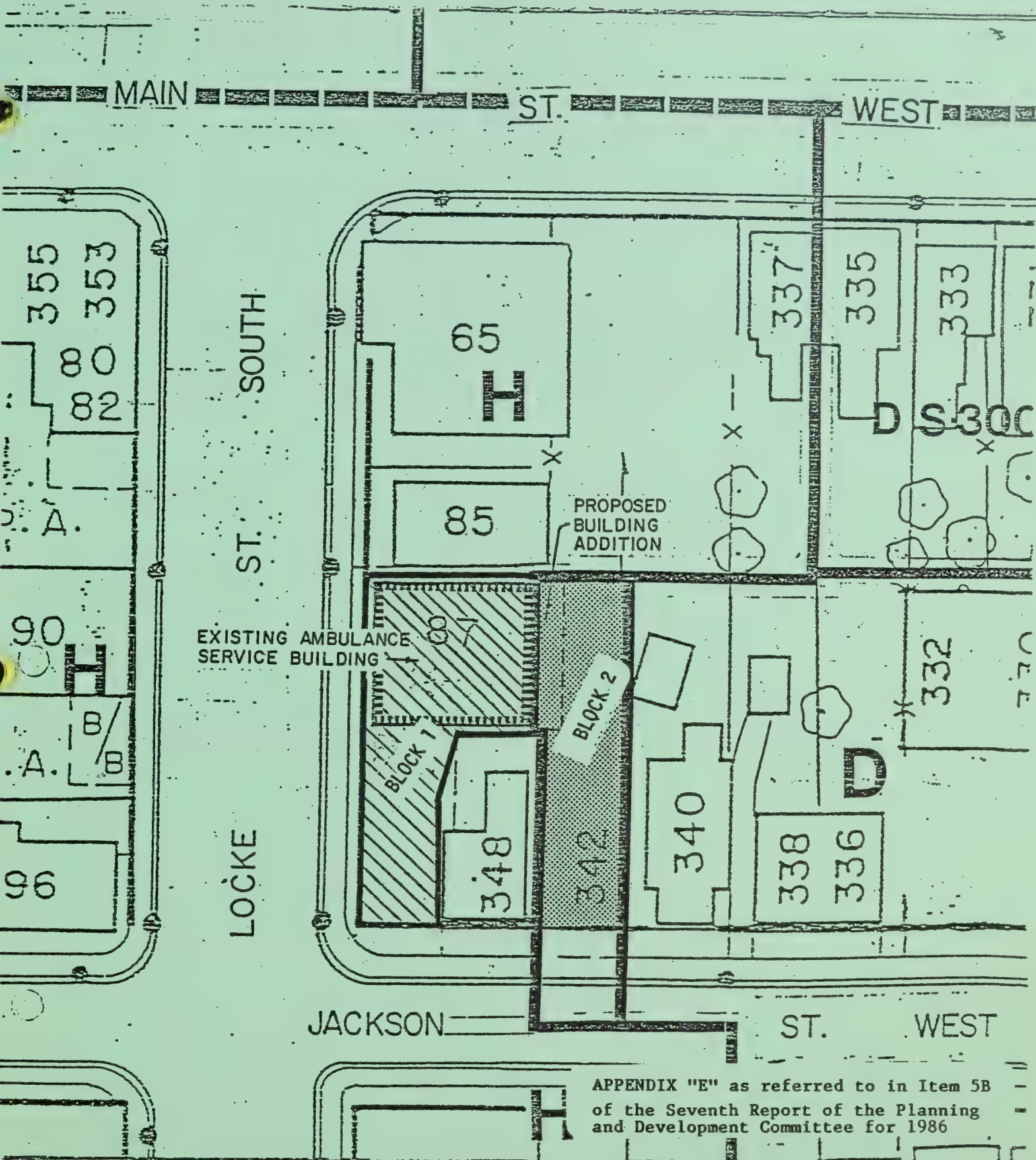
LEGEND



BLOCK 1 Change in Zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.





BLOCK 2 Change in Zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.



APPENDIX "E" as referred to in Item 5B
of the Seventh Report of the Planning
and Development Committee for 1986

LEGEND

2486-04

- Block 1  Modification to the "H" (Community Shopping and Commercial, etc.) District regulations.
- Block 2  Further modifications to the "G-3" (Public Parking Lots) District regulations.

TERMS OF REFERENCE
FOR THE
INDUSTRIAL ADVISORY BOARD (I.A.B.)
OF THE
CITY OF HAMILTON

PURPOSE: To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on land use planning issues which may affect the existing industrial community and/or the expansion of the industrial base in the City of Hamilton.

MANDATE: To review land use planning issues relating to industrial concerns, including, but not limited to:

- 1) the Official Plan and Amendments
- 2) neighbourhoods plans and secondary plans
- 3) text amendments to the Zoning By-law
- 4) Provincial legislation changes affecting industrial land use planning
- 5) trends in industry which should be accommodated in land use planning

BOARD MEMBERS:

- a) Chairman of the Planning and Development Committee or his designate (to serve as Chairman of the I.A.B.)
- b) A representative from the Chamber of Commerce
- c) Two Industrialists recommended by the Chamber of Commerce
- d) A representative from the Hamilton Labour Council
- e) A representative from the Ministry of the Environment
- f) The Hamilton-Wentworth Director of Economic Development
- g) The Hamilton-Wentworth Commissioner of Planning and Development

APPENDIX "F" as referred to in Item 7a
of the Seventh Report for 1986 of the
Planning and Development Committee

- h) A representative from the Hamilton and District Building Trades Council

Support staff will be supplied by the Planning and Development Department who will act as resource personnel. Other staff of the City and Region may be required to attend at the request of the Chairman.

MEETINGS:

At the call of the Chairman or as requested by a member of the I.A.B. through the Chairman.

**COMMUNICATION:
(REPORTING
PROCEDURES)**

- i) The Planning and Development Committee may refer items to the I.A.B.
- ii) The Planning and Development Department will forward items listed under "Mandate" to the I.A.B. for its consideration.
- iii) An I.A.B. member may bring forward an item to be considered by the I.A.B.
- iv) Individual persons and/or groups may request, through the Chairman of the I.A.B., to make a presentation

LIST OF ISSUES FOR
CONSIDERATION BY THE INDUSTRIAL ADVISORY BOARD

The following list of issues are suggested for initial consideration by the Industrial Advisory Board.

Additional issues will be generated once the Board is convened.

1. The Recycling and Re-use of Existing Industrial Building Stock
 - a) how does existing policy and development control allow and/or encourage this form of industrial development?
2. Review of General Development Control Standards
 - a) can greater flexibility be built into the development control system?
 - b) can zoning be simplified?
3. Industrial and Non-Industrial Uses
 - a) how can the effects on each other be mitigated?
4. Industrial Promotion
 - a) what should the role of planning be?
5. Relocation of Industrial Uses
 - a) are there additional opportunities/services which should be provided within existing industrial areas to encourage firms to relocate within the City?

APPENDIX "G" as referred to in Item 7b
of the Seventh Report for 1986 of the
Planning and Development Committee

Reasons For Designation

Pasadena Apartments, 27 Bold Street

Located at 27 Bold Street between MacNab Street South and James Street South, the Pasadena Apartments were constructed in 1914 for Martin E. Smith, broker.

It was during the early 1910's that the apartment house made its first appearance in Hamilton as a specialized building type. The Pasadena is significant as one of the early and well-designed examples of a building type that by the 1920's had proliferated throughout the city.

The three-story brick structure currently has a capacity of 17 residential units. Despite its size the building relates well in design and scale to its historic surroundings on Bold and MacNab Streets.

Stylistically, 27 Bold Street displays many features typical of this early form of apartment house--bay windows, bracketted eaves, porches, balconies, stone-and-brick patternwork and a galvanized iron cornice.

Similarly, the interior of the apartment house still retains the characteristic period decoration and old-fashioned amenities, but the meal service delivered by dumb waiters from the basement kitchen has been discontinued.

Important to the preservation of 27 Bold Street is the retention of the original architectural features on all four facades and the interior central stairway, skylight, and hallways with their wood and cut-glass doorways, brackets and columns. The original front doorways and suspended canopy have been removed.

APPENDIX "H" as referred to in Item 11b
of the Seventh Report for 1986 of the
Planning and Development Committee



DOWNTOWN HAMILTON ACTION PLAN
BANNER PROGRAM
COST ESTIMATE
February 27, 1986

Banner Program - Phase II Area	Qty.	Unit	Unit Cost	Total
1. Phase I black poles drilled and tapped on site for lower arms and upper arm eye bolts.	45	each	\$ 50.00	\$ 2,250.00
2. Supply of lower banner arms for all black poles (Phase I and II).	161	each	155.00	24,955.00
3. Supply of banners (6 designs) including 10% extra.	196	each	90.00	17,640.00
4. Supply of upper and lower aluminum arms including banding for existing concrete poles for Jackson Square, and including 5 extra sets.	22	each	25.00	550.00
5. Installation of arms and banners.	178	each	35.00	6,230.00
Subtotal				51,625.00
Banner Program - Phase IIIb Area				
1. Supply of upper and lower aluminum arms including banding for existing and new concrete and wood poles.	164	each	25.00	4,100.00
2. Supply and installation of new concrete poles including sidewalk demolition and repair.	36	each	1,000.00	36,000.00
3. Supply of banners (6 designs) including 10% extra.	234	each	90.00	21,060.00
4. Installation of arms and banners.	213	each	35.00	7,455.00
Subtotal				68,615.00
SUMMARY				
Phase II Area				\$ 51,625.00
Phase IIIb Area				\$ 68,615.00
Subtotal				\$120,240.00
10% Contingency				\$ 12,024.00
GRAND TOTAL				\$132,264.00

APPENDIX "I" as referred to in Item
14(i) of the Seventh Report for 1986
of the Planning & Development Committee

5.2 All graphics and colours shall be constant and sharp throughout each individual design.

6 HARDWARE

6.1 Hardware for Banners:

6.1.1 Lower Banner arms for all the new existing black street poles shall be steel to size detailed. Finish to be powder coat black paint to match existing poles.

6.1.2 Banner arms and sockets top and bottom for all other poles shall be aluminum with no finish required.

6.1.3 Eye bolts, hex bolts and 'S' hooks to be stainless steel.

6.1.4 Grommets to be #1 brass Spur grommets.

6.1.5 Straps shall be 15mm stainless steel with stainless steel buckles.

7 ARTWORK

7.1 Camera ready artwork to be done by Mark Tharme, Graphic Designer, Hamilton, Ontario - Telephone: 525-2028, or approved equal.

7.2 Provide artwork minimum 1/3 full size, in black and white for approval.

7.3 All colours selected to match the PMS colouring system, which uses the Pantone Colour Specifier. All colours chosen by the banner contractor must be approved by the Architect and the City of Hamilton.

7.4 Original designs shall be submitted to successful bidder for clarification. These are approximately 65 x 200mm in size.

PART 3 EXECUTION

8 INSTALLATION - GENERAL

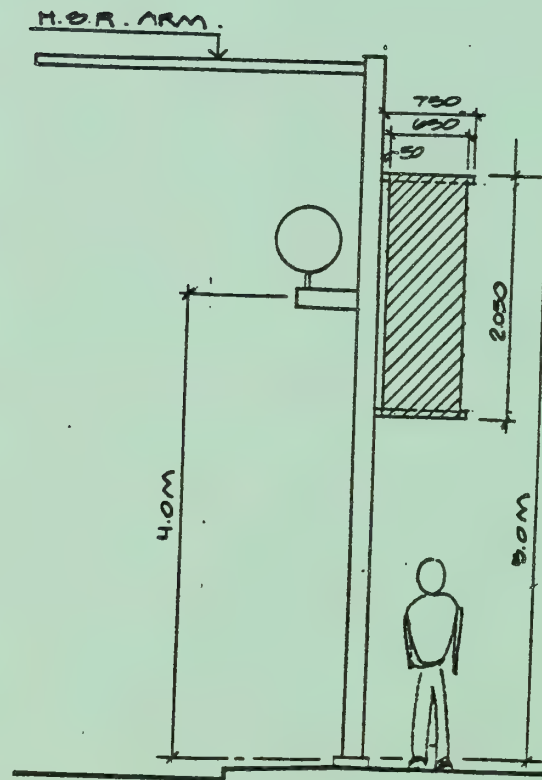
8.1 Install banners on sidewalk side of poles unless noted otherwise.

8.2 Inform Architect of any conflicts with location prior to installation of banners.

8.3 Banners shall be installed at heights shown.

8.4 Do all work in compliance to City of Hamilton and Region of Hamilton Wentworth regulations as applicable.

8.5 Minimize traffic disruption. Place warning signs if and as required. Any occupation of City road allowance (sidewalk, boulevard, or travelled roadway) to be subject to prior approval of Director of Traffic Services, City of Hamilton Traffic Department. All construction area activities to be carried out in accordance with Regional Hamilton-Wentworth/City of Hamilton Traffic Control Manual.



SECTION

**Moorhead
Fleming
Corban
McCarthy**

Landscape Architects
Resource Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

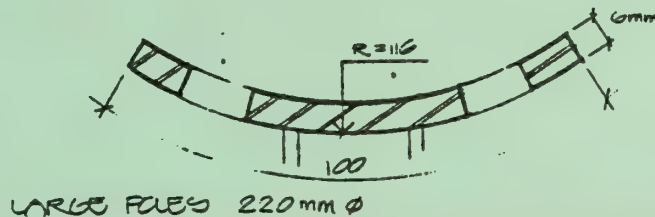
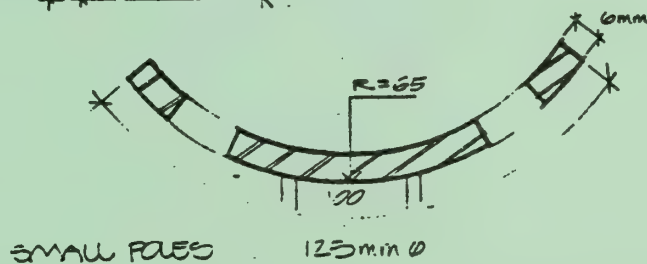
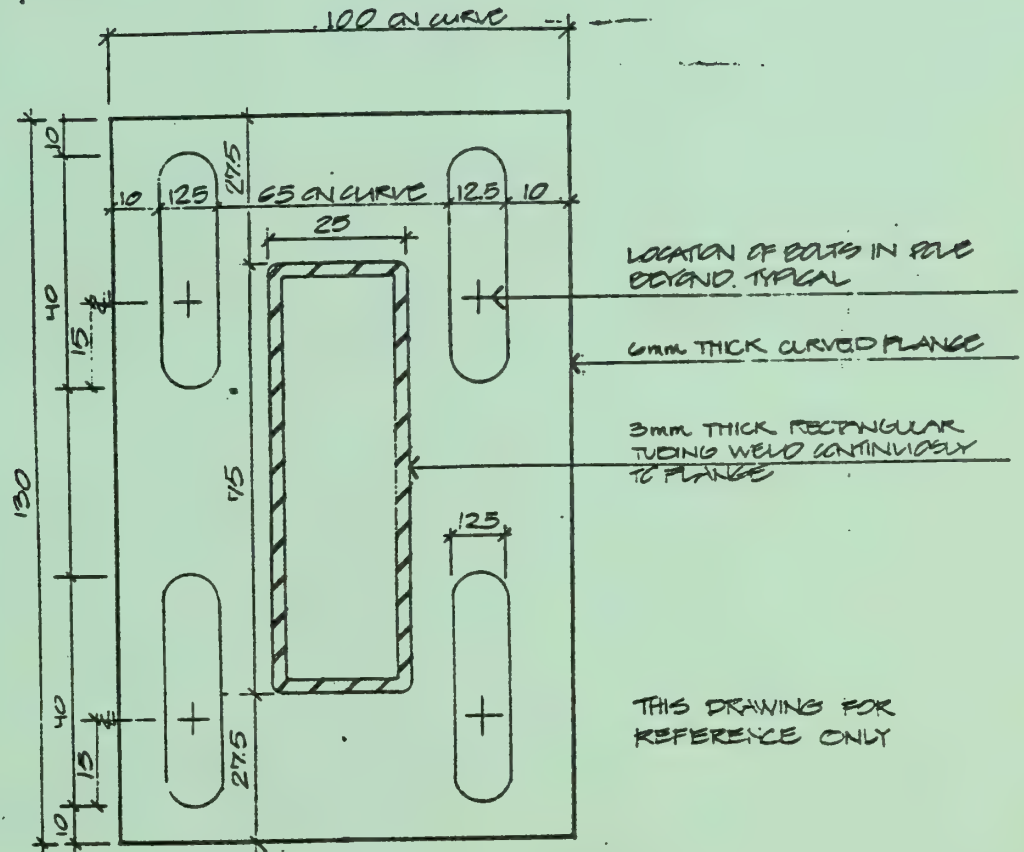
(416) 366 9238

Downtown Hamilton Action Plan Streetscape Phase II

DANNER ARM LOCATION

BS12 27 FEB 1986 1:50
Project No. Date Scale

SD-1
Drawing No.



**Moorhead
Fleming
Corban
McCarthy**

Landscape Architects
Resource Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

(416) 366 9238

Downtown Hamilton Action Plan Streetscape Phase II

LOWER BANNER ARM FLANGE
AT NEW BLACK POLES (N.I.C.)

3512 27 FEB 1986 1:10

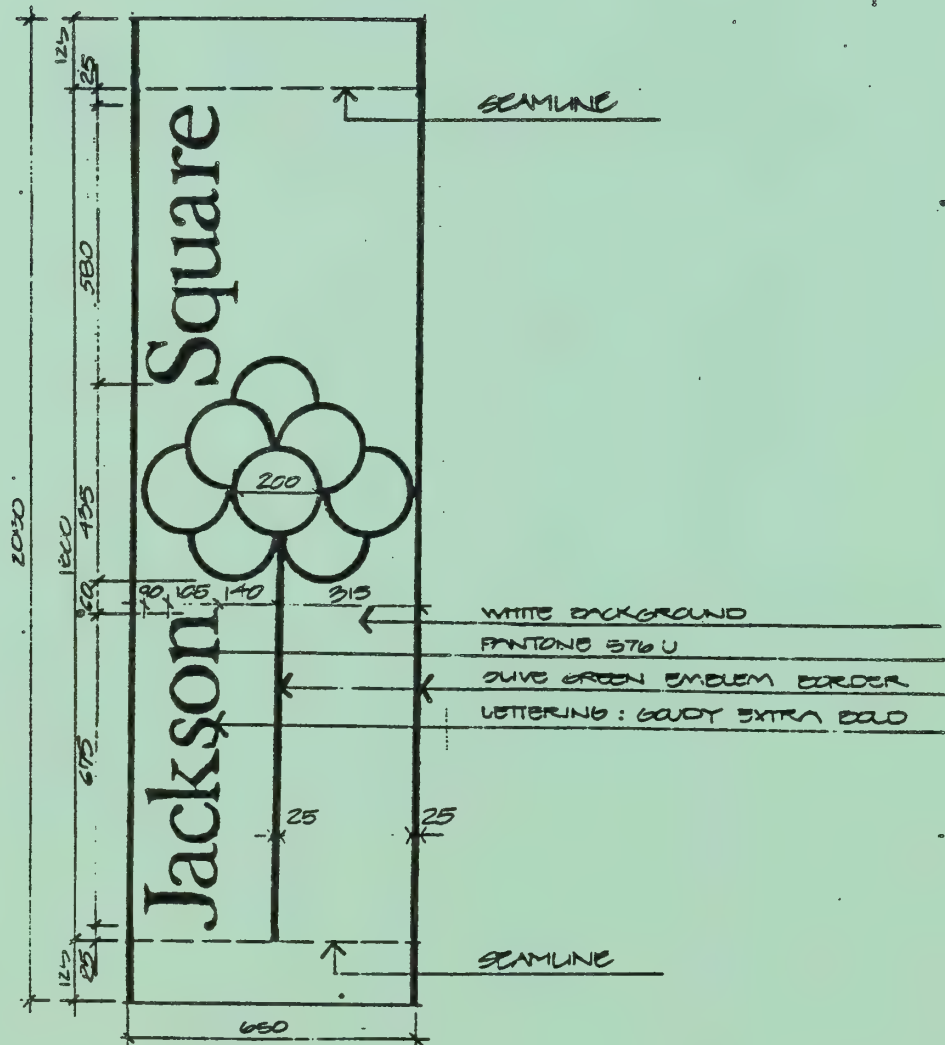
Project No.

Date

Scale

SD-3

Drawing No.



**Moorhead
Fleming
Corbin
McCarthy**

Landscape Architects
Resource Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

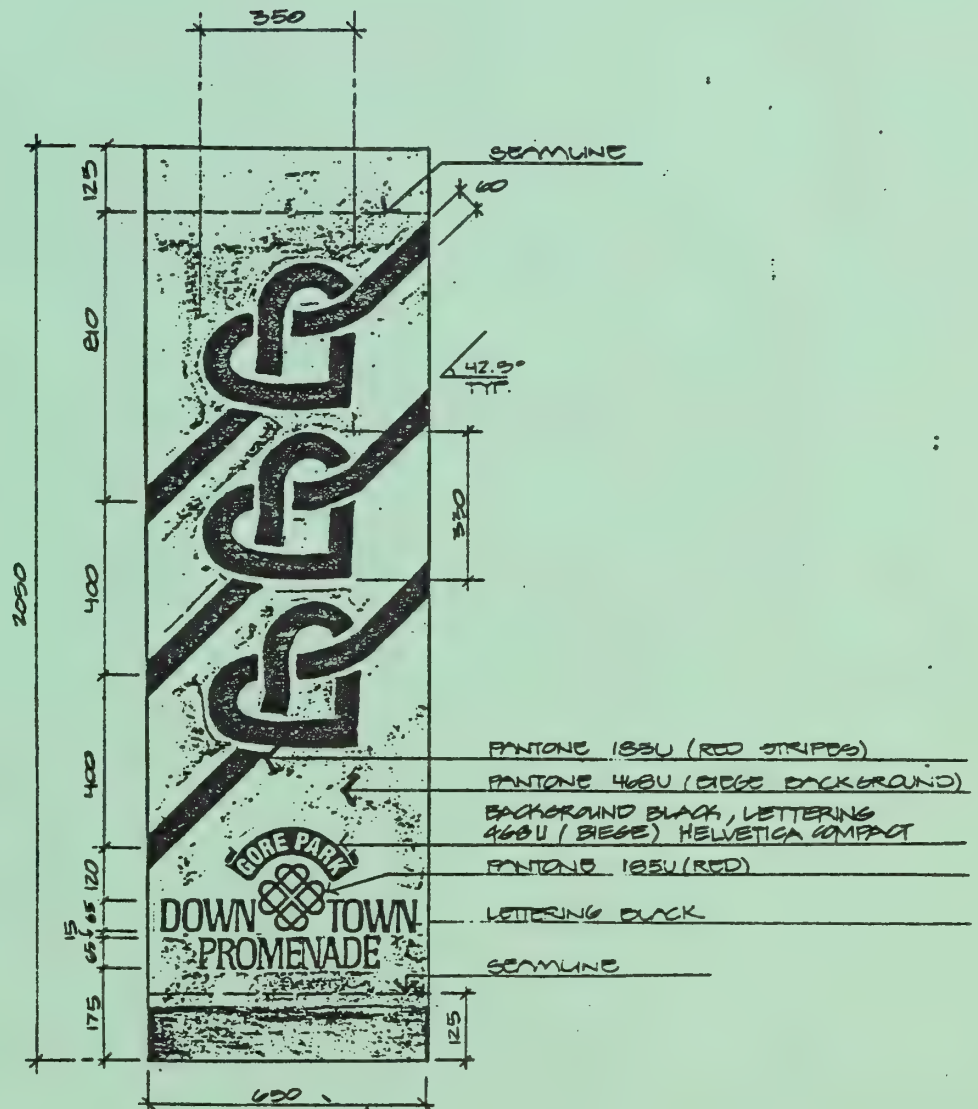
(416) 366-9238

Downtown Hamilton Action Plan Streetscape Phase II

JACKSON SQUARE BANNER

SD12 27 FEB 1986 N.T.S.
Project No. Date Scale

SD-5
Drawing No.



**Moorhead
Fleming
Corbin
McCarthy**

Landscape Architects
Resource Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

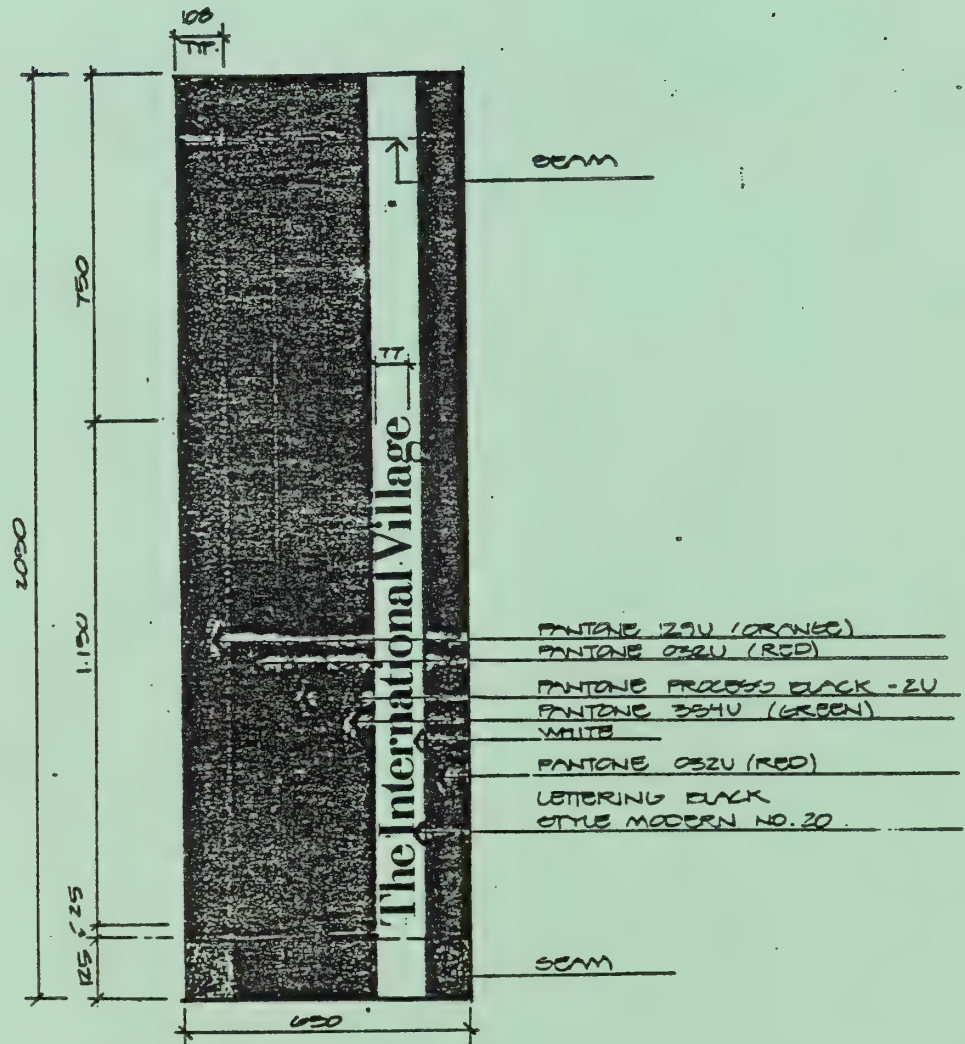
(416) 366 9238

Downtown Hamilton Action Plan Streetscape Phase II

DOWNTOWN PROMENADE BANNER

0512 27 FEB 1986 N.T.S.
Project No. Date Scale

SD-7
Drawing No.



**Moorhead
Fleming
Corbin
McCarthy**

Landscape Architects
Resource Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

(416) 366 9238

Downtown Hamilton Action Plan Streetscape Phase II

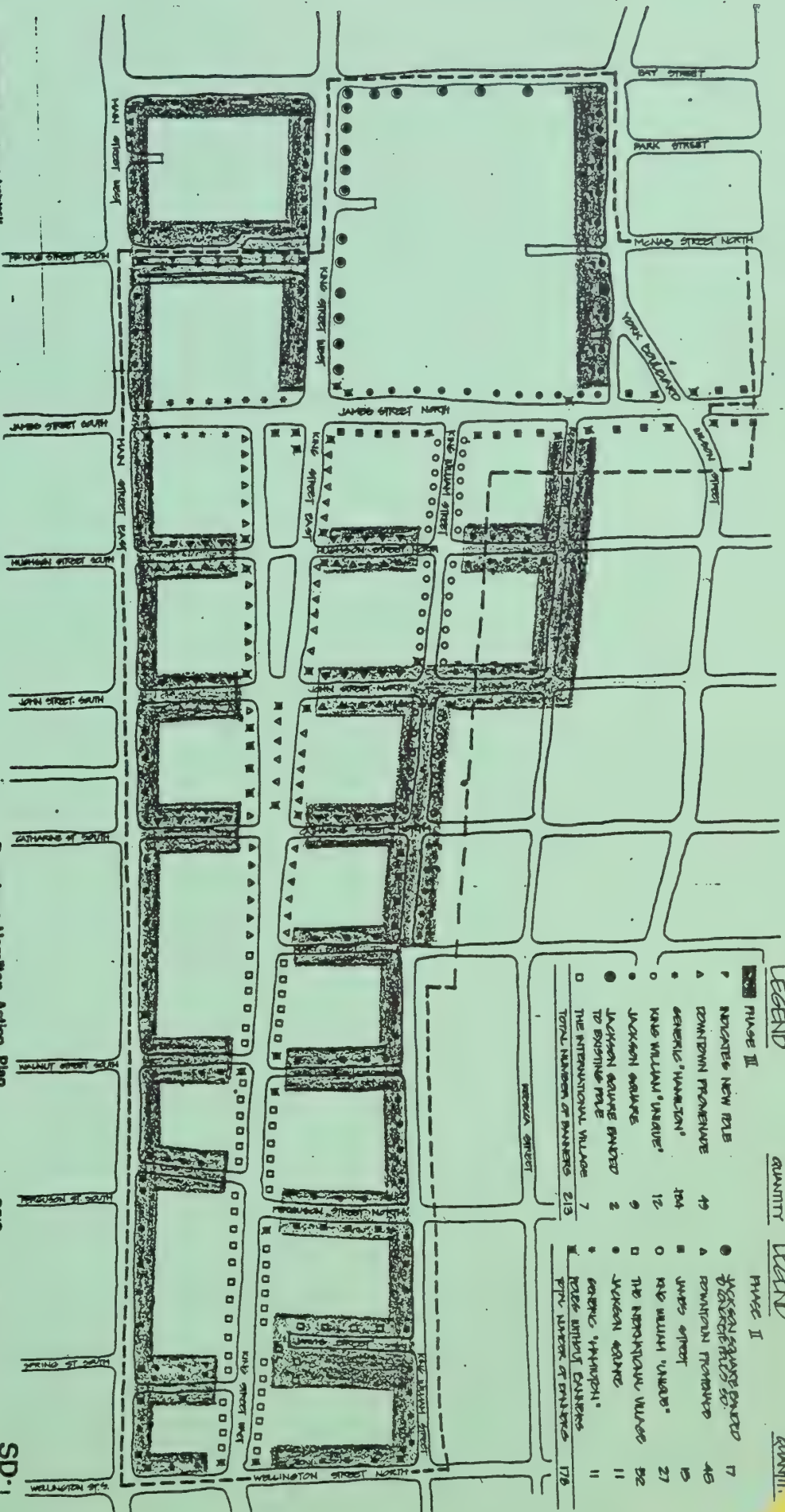
THE INTERNATIONAL VILLAGE
BANNER

3512 27 FEB. 1986 N.T.S.
Project No. Date Scale

SD-9
Drawing No.

**Moorehead
Planning
Consultants
McCarthy**

LANDSCAPE ARCHITECTS
Resource Planners
23 Brian Street
Toronto, Ontario
M5A 1B7
(416) 366 9728



LEGEND

QUANTITY

LEGEND

QUANTITY

PHASE II	QUANTITY	PHASE II	QUANTITY
INDICATES NEW TREES		THE INTERNATIONAL VILLAGE	17
DOWNTOWN PROMENADE	49	THE INTERNATIONAL VILLAGE	45
GENERIC "HAMILTON"	104	THE INTERNATIONAL VILLAGE	27
THE INTERNATIONAL VILLAGE	12	THE INTERNATIONAL VILLAGE	27
JACKSON SQUARE	9	THE INTERNATIONAL VILLAGE	27
JACKSON SQUARE BUILT TO EXISTING PACE	2	THE INTERNATIONAL VILLAGE	27
THE INTERNATIONAL VILLAGE	7	THE INTERNATIONAL VILLAGE	27
TOTAL NUMBER OF TREES	213	THE INTERNATIONAL VILLAGE	27

Downtown Hamilton Action Plan Streetscape Phase II

PLANET PRAKAM

0512 FEB 27 1994 NTS
Project No. Date Scale Drawing No.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may only be assigned by the Purchaser to a corporation to be incorporated by him. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein or the subsequent corporation shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a third party, except as noted above.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of 5,000 square feet, upon the hereinbefore described land by not later than November 12th, 1986
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the grantee shall complete construction of the said building not later than November 12th, 1987
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

APPENDIX "J" as referred to in Item 16
of the Seventh Report for 1986 of the
Planning & Development Committee
Continued.....(b)

(For Non-Land Titles, June, 1983)

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Seventh Report for 1986 and respectfully recommends:

1. (a) That a City of Hamilton Flag be presented to the Hamilton Firefighters Drum Corps and a day be proclaimed Hamilton Firefighters Drum Corps Day in recognition of the Hamilton Firefighters Drum Corps' 25th Anniversary.
- (b) That commemorative pins be presented to the band members at a reception hosted by the City at a total estimated cost of \$1,500.
- (c) That the Finance Committee recommend the method of financing the \$1,500.

NOTE: It is anticipated that the City will host a reception (coffee and deserts) sometime in May 1986 at which time the Drum Corps will be presented with the Flag and commemorative pins.

2. That the Mayor be authorized to issue a proclamation proclaiming Daylight Saving Time in the City of Hamilton from 2:00 a.m. Sunday, 1986 April 27 to 2:00 a.m. Sunday, 1986 October 26.
3. That permission be granted to the Ontario Society of Occupational Therapists to hang a banner from the balcony of City Hall from 1986 April 14-18 for Occupational Therapy Awareness Week.
4. That permission be granted to the Armenian Community Centre to fly the Armenian Flag from City Hall on 1986 May 28 on the occasion of the 68th Anniversary of Armenia's Independence.
5. That permission be granted to the Kiwanis Club of Hamilton to hang a banner from the balcony of City Hall from 1986 April 14 - May 5 in connection with the Kiwanis Music Festival.

6. (a) That the Corporation of the City of Hamilton lease to the Hamilton Municipal Employees' Credit Union Limited for a period of five years, a portion of the area adjacent to the walkway between City Hall and the Football Hall of Fame, for the purpose of providing an Automated Teller Machine.
- (b) That the area to be leased will be approximately 100 square feet for an annual rental of \$1,000 plus taxes for the first two years and \$1,500 plus taxes for the last three years of the lease term.
- (c) That the Lessee will be responsible at its own expense for all installations related to the Automated Teller Machine. Upon the termination of the lease, the Lessee will remove its equipment and restore the site to its original state.
- (d) Upon the termination of this lease, the City of Hamilton hereby agrees to grant to the Lessee a five year option to renew, subject to terms to be negotiated at that time.
- (e) That the Mayor and City Clerk be authorized to execute a lease satisfactory to the City Solicitor.

NOTE: In adopting Item 5, City Council on 1986 March 11 approved in principle to lease to the Hamilton Municipal Employees' Credit Union Limited an area adjacent to City Hall for the Automated Teller Machine.

7. That Mr. I. D., Thornhill, Ontario be awarded the contract to supply and deliver 20,000 Plastic Bus Pass Cards and Pouches including artwork and plates, for a total cost of \$18,617.48 including 7% Provincial sales tax.

NOTE: Only acceptable supplier. Funds provided in account 0322-0121.

This purchase was processed in accordance with the Emergency Procedures of the City's Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman, or the Chief Administrative Officer and is at this time being reported to City Council for formal ratification.

8. That Mr. Don Landers, President, Canada Post Corporation be advised that the City of Hamilton has concerns with the postal service and is hereby requesting that all citizens of the City of Hamilton be treated in a fair and equitable manner with respect to Hamilton's mail delivery and postal service. Further the City also respectfully requests that an investigation be conducted into the slow delivery of mail between Toronto and Hamilton.

NOTE: Copies of this resolution will also be forwarded to Local M.P.P.'s and Mr. Charles McGory, Director of Operations, Canada Post Corporation.

9. (a) That renovations be carried out to provide for sixteen Aldermanic offices, media rooms and washroom facilities for the female members of City Council at an estimated cost of \$425,000. as outlined on the Plan appended hereto as Schedule A.
- (b) That C.C. Parker & Associates Ltd., be retained as Engineers for structural, mechanical and electrical systems in the proposed addition, at a cost not to exceed 10% of the construction cost of these systems. (estimated construction cost of these systems is \$215,000).
- (c) That the Executive Committee recommend the method of financing the cost of this project estimated to be \$425,000. including consulting fees referred to in Subsection (b) above.

NOTE: For the information of the members of City Council, the renovations to the Aldermen's area are contained within the 1986 portion of the 1986-1990 Capital Budget. However, in order to facilitate construction and immediate implementation of these renovations, approval of this project is necessary at this time.

10. That the following mandate be approved for the French Sub-Committee:

"The French Committee will provide a liaison between the City of Hamilton and the francophone community:

- (a) To affirm the presence of the francophone community within the City of Hamilton;
- (b) To assist the francophone community to participate in those aspects of municipal affairs directly related to the concerns of the Francophone community.
- (c) To work with the francophone community toward extending the availability of French language services within the City of Hamilton, with priorities recommended by the French Committee."

11. That a provision of \$24,900. for the Hamilton, Scotland/Hamilton, Canada Commemorative and Contemporary Exhibitions and Queen's Message Relay during the 1986 Commonwealth Games, in Edinburgh, Scotland, not be included in the 1986 Estimates.

NOTE: For the information of the members of City Council the above recommendation was lost on a 4 - 4 tie vote and in accordance with Council's policy, is being forwarded at this time for Council's consideration.

12. That the following tax adjustments as recommended by the Tax Appeals Review Committee at its meeting held 1986 March 5 be approved:

Appeal	Amount (1)	(2)	(3)	(4)
Schedule "A" Compassionate	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Mar.5/86</u>	Total Year-to-Date <u>1986</u>
	\$16,190.00	\$2,350.00	\$650.00	\$3,000.00
Schedule "B" Business	(1)	(2)	(3)	(4)
	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Mar. 5/86</u>	Total Year-to-Date <u>1986</u>
	\$2,063,504.19	\$457,423.04	\$59,705.25	\$517,128.29
Schedule "C" Realty	(1)	(2)	(3)	(4)
	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Mar.5/86</u>	Total Year-to-Date <u>1986</u>
	\$262,474.83	\$144,521.62	\$14,669.66	\$159,191.28

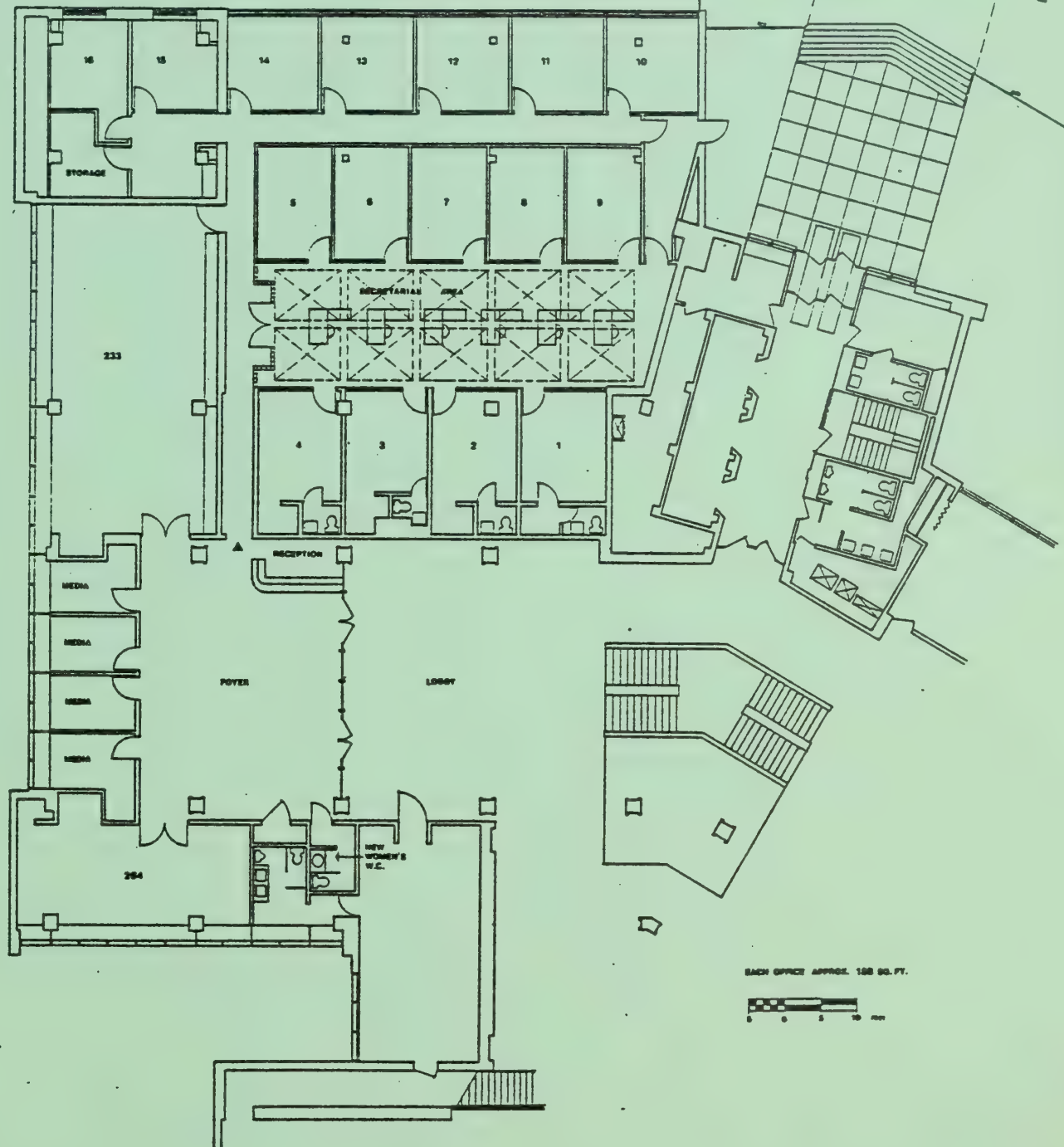
13. That leave be granted to introduce the following bill:

Bill E-7 By-law to Amend By-law No. 85-148 Respecting Leashed Dogs in Public Parks.

Respectfully submitted,

ALDERMAN V. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Mrs. L. Dale, Secretary
Legislation Committee
1986 March 17



PROPOSED ALTERATIONS • 2ND FLOOR • CITY HALL

Å

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **FOURTH** Report for 1986 and respectfully recommends:

1. That the present salary of students-at-law, working for the City of Hamilton (\$244.34 per week), be increased to \$297.84 per week, which exactly parallels the rate in the Region of Hamilton-Wentworth, effective January 12, 1986.
2. That at least one employee who is able to speak, read and write fluently in French and English, be maintained on staff at City Hall. This employee must also meet all other job-related requirements.
3. Approval of the awarding of the following contract:

CLEANTECH INC., Hamilton, Ontario.

For dry cleaning uniform clothing for the Fire Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the following unit prices:

Uniform Trousers \$0.95, Uniform Tunics \$1.75, Raincoats \$2.00, Nylon Parkas \$2.00, Uniform Shirts \$0.49, Uniform Skirts \$0.95, Uniform Female Slacks \$0.95.

This contract to be for a period of 36 months. The City Solicitor to be authorized and directed to prepare the necessary contract.

Note: Lowest of three tenders received. Funds available in Accounts 0341-0125 and 0341-0425. The name of this company was formerly #52228 Ontario Inc.

4. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to March 11, 1986, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

Alderman M. Kiss, Chairman,
Personnel Committee.

K. E. Avery, Acting Secretary,
1986 March 19.

SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Teresa Barlett	Monitor-Admissions	Dundurn Castle Division of the Department of Culture & Recreation	new position as approved	DC-3	\$5.819 per hour	Feb. 17/86
Miss Victoria Broadribb	Personnel Clerk II	Personnel	returning to former position	108	\$20,789.08 per annum	Feb. 17/86
Mr. Donald Dilks	Labourer	Public Works	returning to former position	D-5	\$11.161 per hour	Feb 12/86
Mr. Raymond Duguay	Foreman I (Districts)	Public Works	replacement for Mr. Clarence Smith - retired	11C	\$32,779.76 per annum	Jan. 27/86
Ms. Eileen Laforme	Cleaner	Property Maintenance Div. of the Real Estate Department	replacement for Ms. Doris Prawdzik - retired, and Ms. Barbara Drewery - on L.T.D.	C1R	\$8.373 per hour	Jan. 6/86
Mr. John McShane	Garbageman	Public Works	returning to former position	D-8	\$11.344 per hour	Jan. 27/86

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Raymond Milsome	Maintenance Man III	Property Maintenance Div. of the Real Estate Department	replacement for Mr. Ross Milko - promoted	M-11	\$12.494 per hour	Feb. 10/86
Ms. Judy Nixon	Monitor-Admissions	Dundurn Castle Division of the Department of Culture & Recreation	new position as approved	DC-3	\$5.819 per hur	Feb. 17/86
Mr. William Pitkeathly	Lead Hand (Cemetery)	Cemetery Division of the Department of Public Works	replacement for Mr. K. Morris - transferred	D-8A	\$11.3670 per hour	Jan. 27/86
Mr. William Pollington	Labourer	Parking Authority	replacement for Mr. Gary McKechnie - transferred	B-2	\$375.08 per week	Feb. 10/86
Mr. Alois Stokan	Arena Maintenance Man I	Trade Centre/Arena	replacement for Mr. DiGiambattista - returned to former position	M-10	\$12.126 per hour	Jan. 27/86

Prepared February 24, 1986

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
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NO PERMANENT TERMINATIONS TO REPORT AT THIS TIME

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Luigi Cialini	Rink Attendant (temporary)	Culture & Recreation	replacement Mr. Alois Stokan - promoted	D-5	\$11.161 per hour	Jan. 27/86
Ms. Pamela Collier	Taxation Clerk IV (temporary)	Treasury	replacement for Mrs. Leigh Goldsmith - maternity leave	E-4	\$365.58 per week	Feb. 17/86
Mr. Donald Dilks	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. Fred Lalonde - off sick	D-5	\$11.161 per hour	Jan. 25/86
75 Mrs. Gayle Fawcett	Stenographer II (temporary)	Building	replacement for Mrs. Debbie Misdone - maternity leave	E-4	\$365.58 per week	Feb. 17/86
Mr. Milorad Josic	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. John McShane - returned to former position	D-5	\$11.161 per hour	Jan. 28/86
Mr. Adam Marynowicz	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. R. Williamson - on W.C.B.	D-5	\$11.161 per hour	Jan. 29/86

Prepared February 24, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Elizabeth Molnar	Secretary A (temporary)	City Clerk	replacement for Mrs. Cheryl Dembe - maternity leave	111	\$22,843.60 per annum	Feb. 10/86
Ms. Karen Stanton	Clerk Typist (temporary)	H.E.C.F.L.	temporary additional staff as approved	CT-1	\$8.000 per hour	Feb. 3/86

**THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk	lay off	3 mos.	Feb. 21/86
Ms. Clarissa Ecker	Personnel Clerk III (temporary)	Personnel	lay off	4 1/2 mos.	Feb. 21/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Wolfgang Buchackert	Machinist	Central Garage Division of the Department of Public Works	replacement for Mr. Horace Stanley - retired	D-15	\$12.305 per hour	Jan. 1/86
Mr. George Cavael	Foreman II (Districts)	Public Works	replacement for Mr. Ray Duguay - promoted	12C	\$30,244.24 per annum	Feb. 24/86
Mr. James G. Hindson	Director of Systems and Data Processing	Systems Division of the Treasury Department	replacement for Mr. L. Selby - retired	D	\$55,408.60 per annum	Mar. 24/86
Mr. Robert Kalapos	Tree Climber	Public Works	additional staff as approved	D-9	\$11.202 per hour	Mar. 10/86
Ms. Olla Kopko	Monitor-Admissions (permanent part-time)	Dundurn Castle Division of the Department of Culture & Recreation	new position as approved	DC-3	\$5.819 per hour	Mar. 3/86
Mr. William Miller	Tree Climber	Public Works	additional staff as approved	D-9	\$11.202 per hour	Mar. 10/86
Mrs. Anne Moravac	Box Office Clerk	H.E.C.F.L.	new position as approved	E-2	\$15,581.80 per annum	Mar. 3/86

Prepared March 11, 1986

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Arlene Murphy	Client Services Representative	H.E.C.F.I.	additional staff as approved	106C	\$23,352.16 per annum	Mar. 3/86
Miss Karen Neske	Personnel Clerk I	Personnel	returning to former position	110	\$23,069.28 per annum	Mar. 3/86
Mrs. Gloria Nielsen	Box Office Clerk	H.E.C.F.I.	new position as approved	E-2	\$15,581.80 per annum	Mar. 3/86
Mrs. Laura Peddle	Secretary A	Personnel	returning to former position	111	\$26,038.48 per annum	Mar. 3/86
Mr. Ross Sommers	Traffic Serviceman I	Traffic	replacement for Mr. William Shipton - retired	A-4	\$426.77 per week	Feb. 24/86
Ms. Bonnie Turnbull	Purchasing Researcher	Purchasing Division	replacement for Mrs. June Davis - retired	113	\$25,591.80 per annum	Feb. 24/86
Mrs. Stephanie Miller	Market Manager	City Clerk's	replacement for Mr. Thomas Stewart, - retired	114	\$32,355.44 per annum	Mar. 3/86

Prepared March 11, 1986

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Joseph Basiuk	Truck Driver & Labourer	Public Works	retirement	34 yrs. & 10 1/2 mo.	Feb. 28/86
Miss Helen Elenuck	Secretary B	Building	retirement	31 yrs. & 1 mo.	Mar. 14/86
Mr. Joseph Farbotko	Gardener I & Labourer	Public Works	retirement	14 yrs. & 8 mos.	Feb. 28/86
Mr. Pierino Finocchi	Concrete Finisher	Public Works	retirement	20 yrs.	Feb. 28/86
Mr. Vincenzo Melo	Foreman I (Districts)	Public Works	retirement	21 yrs. & 10 mos.	Feb. 28/86
Mrs. Gertrude Platek	Cleaner	Property Maintenance Division of the Real Estate Department	retirement	28 yrs. & 6 1/2 mo.	Feb. 28/86

Prepared March 11, 1986

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Leonard Argemi	Equipment Repairman Helper (temporary)	Culture & Recreation	replacement for Mr. James Pearson - on W.C.B.	D-7	\$11.287 per hour	Feb. 24/86
Mr. George Cimba	Market Collector (temporary)	Market Division of the City Clerk's Department	replacement for Mr. George Cimba - retired (temp. extension on the job for Mr. Cimba)	B-2	\$10.281 per hour	Mar. 1/86
Miss Joyce Collins	Stenographer I (temporary)	Treasury	replacement for Mrs. Paula Kita - temp. promoted	E-5	\$374.37 per week	Feb. 24/86
Mrs. Paula Kita	Secretary B (temporary)	Treasury	replacement for Mrs. A Novakovic - temp. promoted	110	\$20,346.56 per annum	Feb. 24/86
Mrs. Luciana McGreal	Stenographer B (temporary)	City Clerk's	replacement for Mrs. Silvana Albano - maternity leave	108N	\$17,832.36 per annum	Mar. 3/86
Ms. Sandra McMurrich	Clerk Typist I (temporary)	Treasury	replacement for Miss Joyce Collins - temp. promoted	E-3	\$333.04 per week	Mar. 3/86

Prepared March 11, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Ann Novakovic	Executive Secretary (temporary)	Treasury	replacement for Mrs. D. Dreher - maternity leave	112	\$23,769.20 per annum	Feb. 24/86
Mrs. Sandra O'Connor	Stenographer III (temporary)	Building	replacement for Mrs. Gayle Fawcett - temp. promoted	E-3	\$333.04 per week	Mar. 3/86
Miss Elisena Santucci	Curator (temporary)	Dundurn Castle Division of the Department of Culture & Recreation	replacement for Mrs. M. Johnston-Denton - maternity leave	111	\$22,089.60 per annum	Mar. 3/86
Mrs. H. Rosemary Warne	Stenographer I (temporary)	City Clerk's	replacement for Miss Elizabeth Molnar - temp. promoted	E-5	\$374.37 per week	Feb. 24/86

**THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Morden	Director of Public Works (temporary)	Public Works	retirement	2 mos. (as a temp. employee)	Feb. 28/86
Mr. John Oleksiuk	Sales Representative (temporary)	Convention Centre	resigned	1 yr. & 1 mo.	Mar. 7/86

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its NINTH Report for 1986 and respectfully recommends:

1. (a) That the claims of Charles T. Murray and the City against Olga M. and Jose M. Leite be settled in the amount of \$10 000 inclusive of interest and costs, said amount to be paid to the City; and
(b) That in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and the Application by Mr Murray, the surplus of \$8 680 that will remain after the deduction of the City's expenses and costs be paid to Mr. Murray.

NOTE: On February 29, 1984, Charles T. Murray was operating a City vehicle when it was struck by a vehicle operated by Jose M. Leite and owned by Olga M. Leite. Mr. Leite had been drinking and had proceeded through a red light. Mr Murray sustained injuries to his left shoulder, neck, left hip and knee and an action was commenced on behalf of the City and Mr. Murray against Olga M. and Jose M. Leite to recover damages.

2. That the supply and installation of banners and appurtenant fittings in the amount of \$132 264, for the Downtown Hamilton Action Plan Phase III-B and implementation of the Banner Programme be financed in 1986 from the Reserve for Capital Projects, Account No. 0280-27, on an interim basis pending OMB approval at a later date.

NOTE: This item was approved by the Planning and Development Committee on March 12, 1986.

3. That the cost of \$7 430 to transport and install the Birks Clock, after it is refurbished and prepared at the expense of Henry Birks & Sons, be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This cost was approved by the Planning and Development Committee at their meeting of March 12, 1986.

4. That the gross cost of \$17 000 to prepare a Priority Program for Parks Development be financed from the "Reserve for Acquisition of Land Under the Planning Act" Account No. 0280-11, on the understanding that the City would receive the benefit of any grants or subsidies, through the Challenge '86 Program to offset the costs of this project.

NOTE: The Parks and Recreation Committee at their meeting of March 18, 1986 approved of this project in order that the various Parks Development Projects can be prioritized to make the most efficient use of the 5% Parks Development Fund.

5. That, as an ongoing policy for annual surplus disposition beginning in 1986, any amount received in excess of the short-term annual investment income approved estimate be transferred to the Reserve for Capital Projects (Account No. 0280-27) to finance Capital Projects to be approved by City Council, subject to the overall year-end surplus position being at least equal to the amount of the excess short-term interest revenue.
6. (a) That the Treasurer be authorized and directed to make applications to the Challenge '86 - S.E.E.D. Program for departmental proposals, as appended hereto, in the estimated total cost of \$711 757 with estimated contributions by S.E.E.D. of \$250 320 and the City of \$461 437; and

(b) That upon approval by the S.E.E.D. Program, proposals be commenced only to the limit of the maximum S.E.E.D. Program contribution per employer of \$100 000 and/or City's share in the amount of \$118 000 being the balance of funds available provided from the 1982 and 1983 Current Budgets and 1984 Capital Levy for Canada, Ontario Employment Development (C.O.E.D.) and Canada Works Programs (0411-T4900); and

(c) That the Chief Administrative Officer and Treasurer be authorized and directed to prepare a final list of projects for approval, based on the criteria outlined in (b) above, by the Finance Committee.
7. That leave be granted to introduce the following bill:
 - a) G-16: A By-law to amend By-law 75-198 as amended by By-law 75-99 Respecting Lakeland Beach Swimming Pool.

Respectfully submitted

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

R. C. Prowse
Secretary
attchm.
1986 March 18

SUMMARY OF APPLICATIONS FOR CHALLENGE '86
SUMMER EMPLOYMENT/EXPERIENCE DEVELOPMENT (S.E.E.D.)

Project Number (1)	Department and Project Name (2)	Job Type (1) (3)	Number of Workers (4)	Total Number of Hours (5)	Number of Weeks (6)	Wages (7)	Others Costs (8)	Total Costs (5+6) (9)	Estimated S.E.E.D. Funding (10)	Estimated City Cost (11)
<u>Architect</u>										
	Office Assistance	CSR	1	490	14	3,675	370	4,045	1,960	2,085
	Waterfront Research	CSR	1	490	14	4,165	420	4,585	1,960	2,625
			2	980	28	7,840	790	8,630	3,920	4,710
<u>City Clerk</u>										
	Legislative Services	CSR	2	1,260	36	9,450	945	10,395	5,040	5,355
	Computer Index	CSR	2	1,260	36	9,450	945	10,395	5,040	5,355
			4	2,520	72	18,900	1,890	20,790	10,080	10,710
<u>Community Development</u>										
	Community Liaison	CSR	2	1,190	34	10,116	2,140	12,256	4,760	7,496
<u>Culture & Recreation</u>										
	Sport Summit	CSR	1	680	17	5,100	510	5,610	2,720	2,890
	Arts Task Force	CSR	1	560	14	4,200	420	4,620	2,240	2,380
	Bikeway Signage	CSR	1	560	14	4,200	420	4,620	2,240	2,380
	Summer Programs	PWE	3	2,040	51	15,300	1,530	16,830	8,160	8,670
	Waterfront Development	CSR	3	1,680	42	14,280	1,430	15,710	6,720	8,990
	Special Needs	CSR	3	1,680	42	14,280	1,430	15,710	6,720	8,990
	Safety Village	CSR	3	2,040	51	15,300	1,530	16,830	8,160	8,670
	French Counsellors	CSR	3	2,040	51	17,340	1,730	19,070	8,160	10,910
	Museum Marketing (Children's)	PWE	2	1,260	36	9,450	945	10,395	5,040	5,355
	Exhibits & Artifacts (Whitehern)	PWE	3	1,750	50	13,125	1,310	14,435	7,000	7,435
	Baseball Facilities & Park Legislation	CSR	1	630	18	4,725	470	5,195	2,520	2,675
			24	14,920	386	117,300	11,725	129,025	59,680	69,345

City of Hamilton
Treasury

SUMMARY OF APPLICATIONS FOR CHALLENGE '86
SUMMER EMPLOYMENT/EXPERIENCE DEVELOPMENT (S.E.E.D.)

Page 2

<u>Project Number (1)</u>	<u>Department and Project Name (2)</u>	<u>Job Type (1) (3)</u>	<u>Number of Workers (4)</u>	<u>Total Number of Hours (5)</u>	<u>Number of Weeks (6)</u>	<u>Wages (7)</u>	<u>Others Costs (8)</u>	<u>Total Costs (5+6) (9)</u>	<u>Estimated S.E.E.D. Funding (10)</u>	<u>Estimated City Cost (11)</u>
<u>Fire</u>										
	<u>Maintenance</u>	PME	1	720	18	5,400	1,440	6,840	2,880	3,960
	<u>Mechanical</u>	PME	1	720	18	5,400	740	6,140	2,880	3,260
	<u>Secretarial</u>	CSR	1	560	16	4,200	420	4,620	2,240	2,380
	<u>Public Relation</u>	CSR	1	720	18	5,400	1,140	6,540	2,880	3,660
			4	2,720	70	20,400	3,740	24,140	10,880	13,260
<u>Personnel</u>										
	<u>Research</u>	CSR	1	595	17	5,058	510	5,568	2,380	3,188
	<u>Data Entry</u>	PME	1	595	17	4,463	450	4,913	2,380	2,533
			2	1,190	34	9,521	960	10,481	4,760	5,721
<u>Property Maintenance</u>										
	<u>Equipment/System Inventory</u>	CSR	1	720	18	6,120	2,210	8,330	2,880	5,450
<u>Public Works</u>										
	<u>Cemetery</u>	PME	17	12,240	306	91,800	55,090	146,890	48,960	97,930
	<u>Realignment/Survey Old Cemetery Sections</u>	PME	6	4,320	108	32,400	6,800	39,200	17,280	21,920
	<u>Maintenance</u>	PME	4	2,880	72	24,480	6,490	30,970	11,520	19,450
	<u>Parks</u>	CSR	1	630	18	4,725	470	5,195	2,520	2,675
	<u>Tree Inventory</u>	CSR	7	5,040	126	39,240	58,530	97,770	20,160	77,610
	<u>Parks Inventory</u>	PME	5	3,600	90	27,720	33,450	61,170	14,400	46,770
	<u>Streets</u>	PME	2	1,440	36	10,800	26,480	37,280	5,760	31,520
	<u>Beach Areas/Watercourse</u>									
	<u>Cleaning Alleyways</u>									
	<u>Subways/Splash Rails</u>									
			42	30,150	756	231,165	187,310	418,475	120,600	297,875

SUMMARY OF APPLICATIONS FOR CHALLENGE '86
SUMMER EMPLOYMENT/EXPERIENCE DEVELOPMENT (S.E.E.D.)

<u>Project Number (1)</u>	<u>Department and Project Name (2)</u>	<u>Job Type (1) (3)</u>	<u>Number of Workers (4)</u>	<u>Total Number of Hours (5)</u>	<u>Number of Weeks (6)</u>	<u>Wages (7)</u>	<u>Others Costs (8)</u>	<u>Total Costs (5+6) (9)</u>	<u>Estimated S.E.E.D. Funding (10)</u>	<u>Estimated City Cost (11)</u>
	<u>Purchasing</u>									
	<u>Inventory Coding & Relocation</u>	PME	3	1,890	54	14,175	1,420	15,595	7,560	8,035
	<u>Computer & Programming</u>	CSR	2	1260	36	10,710	1,070	11,780	5,040	6,740
			5	3,150	90	24,885	2,490	27,375	12,600	14,775
	<u>Real Estate</u>									
	<u>Land Inventory</u>	CSR	1	630	18	5,355	2,640	7,995	2,520	5,475
	<u>Treasury</u>									
	<u>Accounting</u>	CSR	1	630	18	5,355	640	5,995	2,520	3,475
	<u>Traffic</u>									
	<u>Studies</u>	CSR	1	630	18	5,355	535	5,890	2,520	3,370
	<u>Sign Posts</u>	PME	3	1,890	54	14,175	6,420	20,595	7,560	13,035
			4	2,520	72	19,530	6,955	26,485	10,080	16,405
	<u>Chief Administrative Office</u>									
	<u>Administration Assistance</u>	CSR	1	630	18	5,355	535	5,890	2,520	3,370

City of Hamilton
Treasury

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SUMMARY OF APPLICATIONS FOR CHALLENGE '86
SUMMER EMPLOYMENT/EXPERIENCE DEVELOPMENT (S.E.E.D.)

<u>Project Number (1)</u>	<u>Department and Project Name (2)</u>	<u>Job Type (1) (3)</u>	<u>Number of Workers (4)</u>	<u>Total Number of Hours (5)</u>	<u>Number of Weeks (6)</u>	<u>Wages (7)</u>	<u>Others Costs (8)</u>	<u>Total Costs (5+6) (9)</u>	<u>Estimated S.E.E.D. Funding (10)</u>	<u>Estimated City Cost (11)</u>
	<u>Mayor's Office</u>									
	<u>Project Assistant</u>	CSR	1	630	18	5,355	535	5,890	2,520	3,370
	<u>Total Program</u>		94	62,580	1,632	487,197	224,560	711,757	250,320	461,437
	<u>Maximum Program Allowable</u>							100.00%	35.17%	64.83%
	<u>Maximum City's Share Allowable</u>			25,000				284,333	100,000	184,333
				16,004				182,015	64,015	118,000

March 13, 1986
RDU:jc

NOTICE OF MOTION

ALDERMAN H. MERLING GAVE NOTICE THAT HE WOULD MOVE THE FOLLOWING NOTICE OF MOTION AT THE NEXT REGULAR MEETING OF CITY COUNCIL:

RESOLVED: That the duties and responsibilities of the Office of Chief Administrative Officer be examined in order to determine if it is in the best interest of City Council to retain this position in view of the increased duties and responsibilities of the Executive Committee and the role being assumed by this Committee in the Civic Administration.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 8131

URBAN/MUNICIPAL

CA 4 ON HBL AOS
A31
1986

MAR 24 1986

WHEREAS By-law No. 8131, passed on the 23rd day of September, 1957, in accordance with the predecessor to paragraph 56(a) of Section 208 of The Municipal Act, R.S.O. 1980, Chapter 302, established The Parking Authority of the City of Hamilton and provided for the appointment of members thereof comprised of three members each of whom was not a member of council but qualified to be a member of council;

AND WHEREAS the said paragraph 56(a) of Section 208 of The Municipal Act now provides that each of the three members shall either be a member of council or qualified to be elected a member of council.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclause 2(2)(b)(i) of By-law No. 8131 is repealed and the following substituted therefor:

- (i) is to be either a member of council or qualified to be elected as a member of council.

PASSED this 25th day of March A.D. 1986.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE PARTS 1 AND 2, PLAN 62R-5676
INTO THE ROAD ALLOWANCE OF LIMERIDGE ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Limeridge Road East by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Limeridge Road East.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 25th day of March, A.D. 1986.

City Clerk

Mayor

(1984) 18 R.T.E.C. 23, October 29

SCHEDULE "A"

FIRSTLY

Part of Lot 10, Concession 6
geographic Township of Barton
designated as Part 1, Plan 62R-5676
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Registry Division of Wentworth (No. 62)

SECONDLY

Part of Parcel 9-1, Section Bar-6
designated as Part 2, Plan 62R-5676
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Titles Division of Wentworth

Bill No. B - 25

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Lavina	Eastbound and Westbound	San Remo
Elmwood	Westbound	West 33rd".

and by deleting therefrom the following items, namely:-

"Britannia	Eastbound and Westbound	Julian".
------------	-------------------------	----------

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 8 R.T.E.C. 21, March 25

Bill No. B - 26

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from the Fennell Table the following item, namely:-

"Grenfell at Beach"

and by adding thereto the following item, namely:-

"Beach at Holly (F/S)".

2. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 8 (Two Hour Limit) the following item, namely:-

"East 24th Both Concession to Crockett".

3. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"East 21st Both Maclellan to 280 feet south".

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 8 R.T.E.C. 21, March 25

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF LIMERIDGE ROAD EAST,
BETWEEN UPPER SHERMAN AVENUE AND THE HYDRO TRANSMISSION CORRIDOR

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27A and E-27B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "RT-20" (Townhouse - Maisonette) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 83-271

Respecting:

LAND LOCATED AT MUNICIPAL NO. 660 UPPER JAMES STREET

WHEREAS By-law No. 83-271, passed on the 28th day of September, 1983, rezoned from "C" (Urban Protected Residential, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land at No. 660 Upper James Street, with the approval of the Ontario Municipal Board given by Order dated the 11th day of August, 1983 (File No. R 802023);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

AND WHEREAS it is intended to permit additional uses on the said land.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions, as amended by By-law No. 83-271, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, as amended by clause 2(a) of By-law No. 83-271, the following,

(i) **RESIDENTIAL USE** shall not be prohibited:

1. One dwelling unit located only on the second floor of the building;

(ii) **COMMERCIAL USE** shall not be prohibited:

1. A dressmaker's shop;

(b) subclause 2(b)(iii) of By-law No. 83-271 shall not apply;

(c) notwithstanding subclause 2(b)(iv) of By-law No. 82-271, a new

building having a maximum gross floor area of 118.5 square metres and having not more than 2 storeys plus a basement, shall not be prohibited.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-830b".

4. Sheet No. W-8 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-830b".

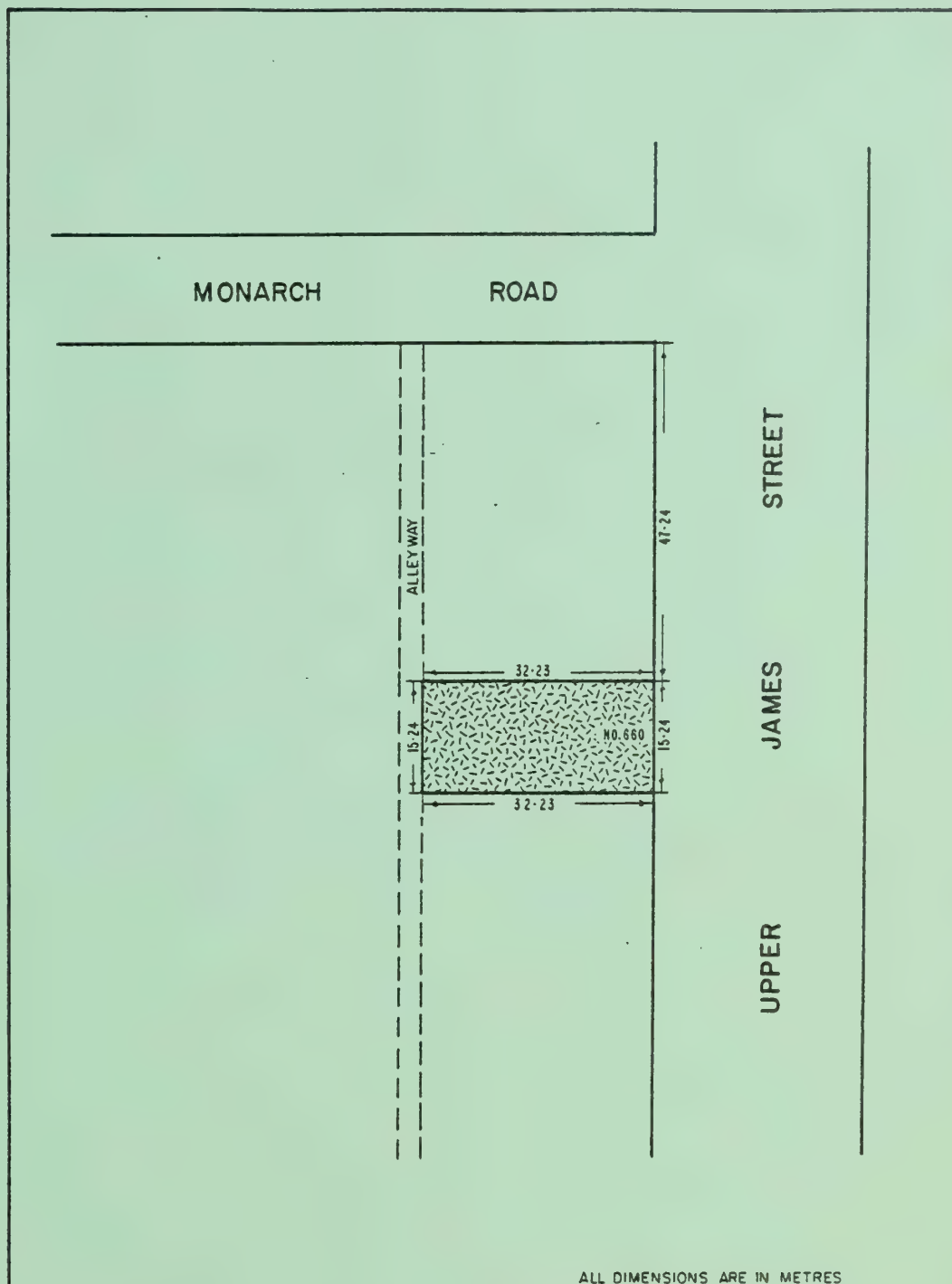
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 4 R.P.D.C. 3B, February 11
Filippo Cassano, Owner
ZA-85-94



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

**CITY OF HAMILTON
SCHEDULE "A"**

MAP FORMING PART OF

BY - LAW NO. 86-

TO AMEND BY - LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW
NO. 86-

North



Scale
1: 750

Date
86-02-12

Reference File No.
ZA85-94

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 263 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding clause 9(1) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall not be prohibited:

1. A chiropractor's office within the building existing on the day of the passing of this by-law;

(ii) **ACCESSORY USE** shall not be prohibited:

1. An unlighted name plate having an area of not more than 0.2 square metres attached to and as nearly as practicable flush with the wall of the building, accessory to the use referred to in subclause (i);

- (b) notwithstanding paragraph 4(a) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of three parking spaces shall be provided and maintained for the use referred to in subclause (a)(i).

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-795a".

4. Sheet No. W-9 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-795a".

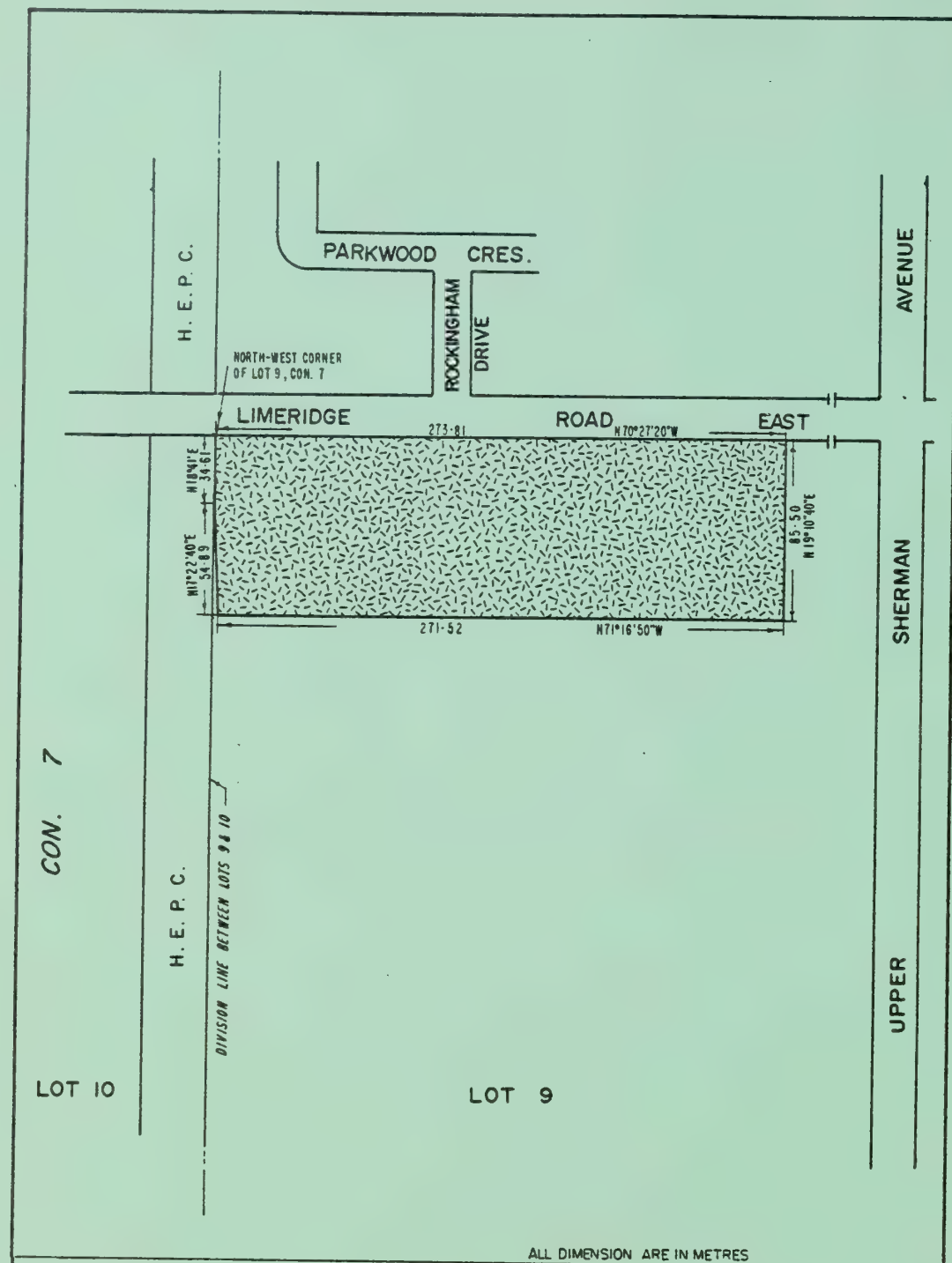
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 4 R.P.D.C. 4, February 11
Thomas Smith, Lessee
ZA-85-99







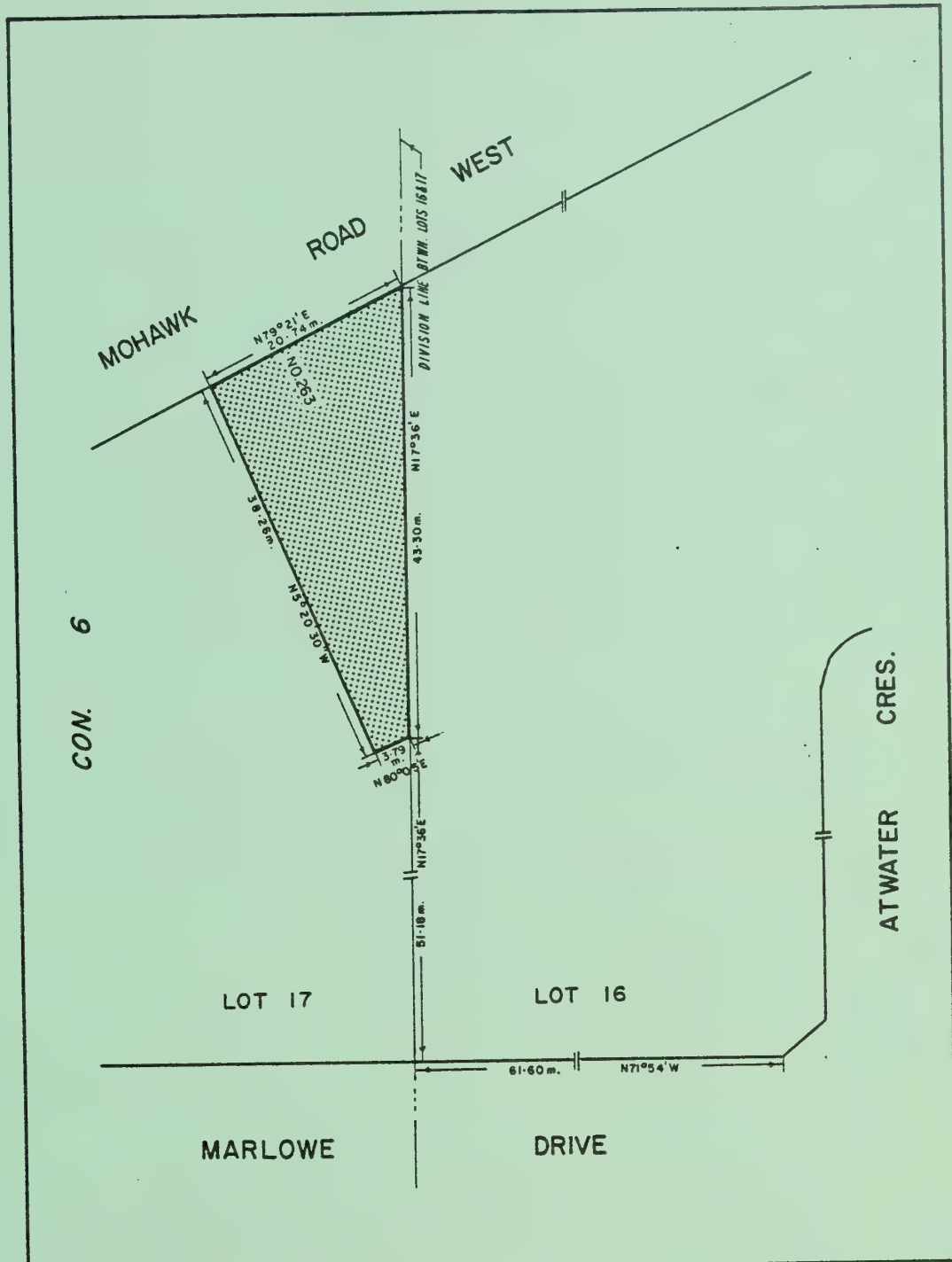
ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

<p>CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY-LAW NO.86- TO AMEND BY-LAW NO.6593</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>		<p>Legend</p> <p> CHANGE IN ZONING FROM "AA"(AGRICULTURAL) DISTRICT TO "RT-20"(TOWNHOUSE-MAISONETTE) DISTRICT</p> <table border="1"> <tr> <td> <p>North</p>  </td> <td> <p>Scale</p> <p>1: 2500</p> </td> <td> <p>Reference File No.</p> <p>ZA 85-95</p> </td> </tr> <tr> <td></td> <td> <p>Date</p> <p>85-02-24</p> </td> <td> <p>Drawing No.</p> </td> </tr> </table>		<p>North</p> 	<p>Scale</p> <p>1: 2500</p>	<p>Reference File No.</p> <p>ZA 85-95</p>		<p>Date</p> <p>85-02-24</p>	<p>Drawing No.</p>
<p>North</p> 	<p>Scale</p> <p>1: 2500</p>	<p>Reference File No.</p> <p>ZA 85-95</p>							
	<p>Date</p> <p>85-02-24</p>	<p>Drawing No.</p>							



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 -
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 86 -

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW
 NO. 86 -

North



Scale

1 : 500

Date

86-02-10

Reference File No.

ZA85-99

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Remove:

PART OF "ROLGA HEIGHTS" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL

WHEREAS subsection 7 of section 49 of The Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...

AND WHEREAS subsection 5 of section 49 of The Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of The Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS it is desirable to exempt certain lands from part-lot control.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of The Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. Lots 34 to 50, inclusive on Plan M-384, registered on the 12th day of July, 1984.

PASSED this

day of

A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 87 AUGUSTA STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 11 C(1) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall not be prohibited within the building existing on the day of the passing of this by-law,

1. A law office.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-949".

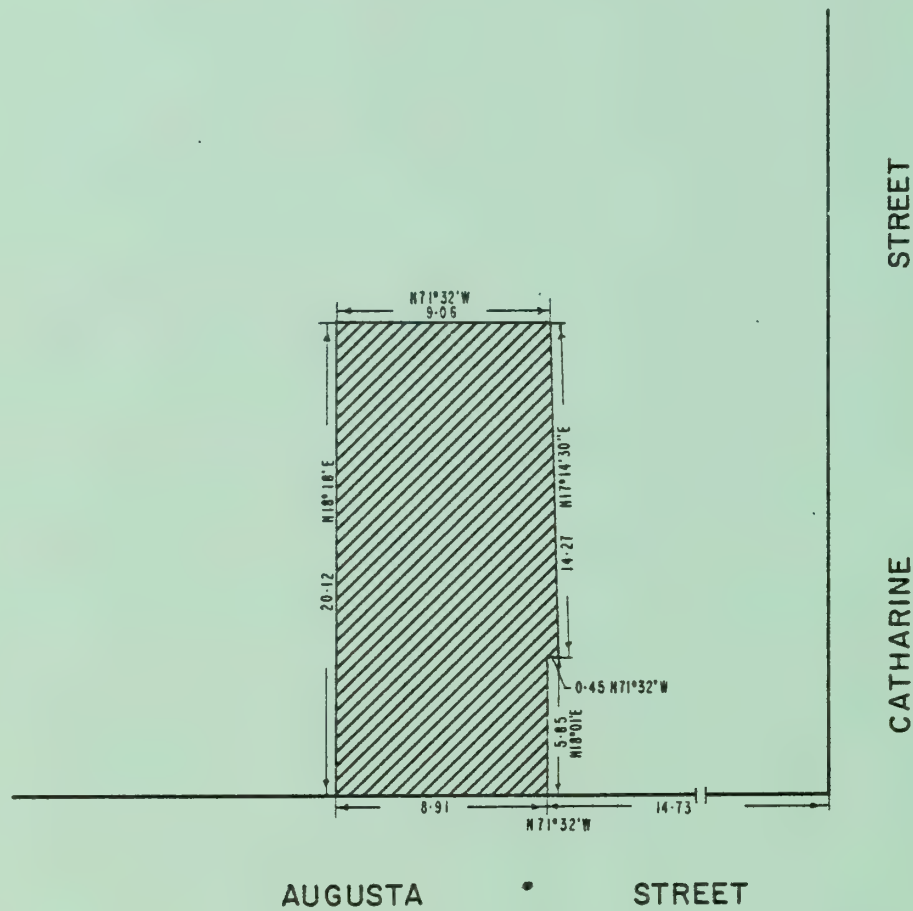
4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-949".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"

MAP FORMING PART OF
BY - LAW NO.86-
TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW
NO.86-



Scale
1:250
Date
86-02-26

Reference File No.
ZA 85-106
Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS IN THE BLOCK BOUNDED BY UPPER GAGE AVENUE,
LOCKTON CRESCENT, LAWSON STREET AND EDWINA PLACE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "DE" (Low Density Multiple Dwellings) district, to "G" (Neighbourhood Shopping Centre, etc.) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the lands, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding paragraph 4(i) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 312 parking spaces shall be provided and maintained;
- (b) notwithstanding Table 4 of clause 18A(1)(a) of By-law No. 6593, a minimum of two loading spaces having a minimum length of 18.0 m., a minimum width of 3.7 m. and a height of 4.3 m. shall be provided and maintained;

(c) notwithstanding subsection 13(1)
of By-law No. 6593, no land shall
be used,

(i) for vehicular access to or
egress from Lawson Street;
and

(ii) for loading or unloading
from Lawson Street.

3. No building or structure shall be erected, altered,
extended or enlarged, nor shall any building or structure or
part thereof be used, nor shall any land be used, except in
accordance with the "G" District provisions, subject to the
special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law
to section 19B as "S-156a".

5. Sheet No. E-38A of the District Maps is amended
by marking the lands referred to in section 1 of this by-
law, "S-156a".

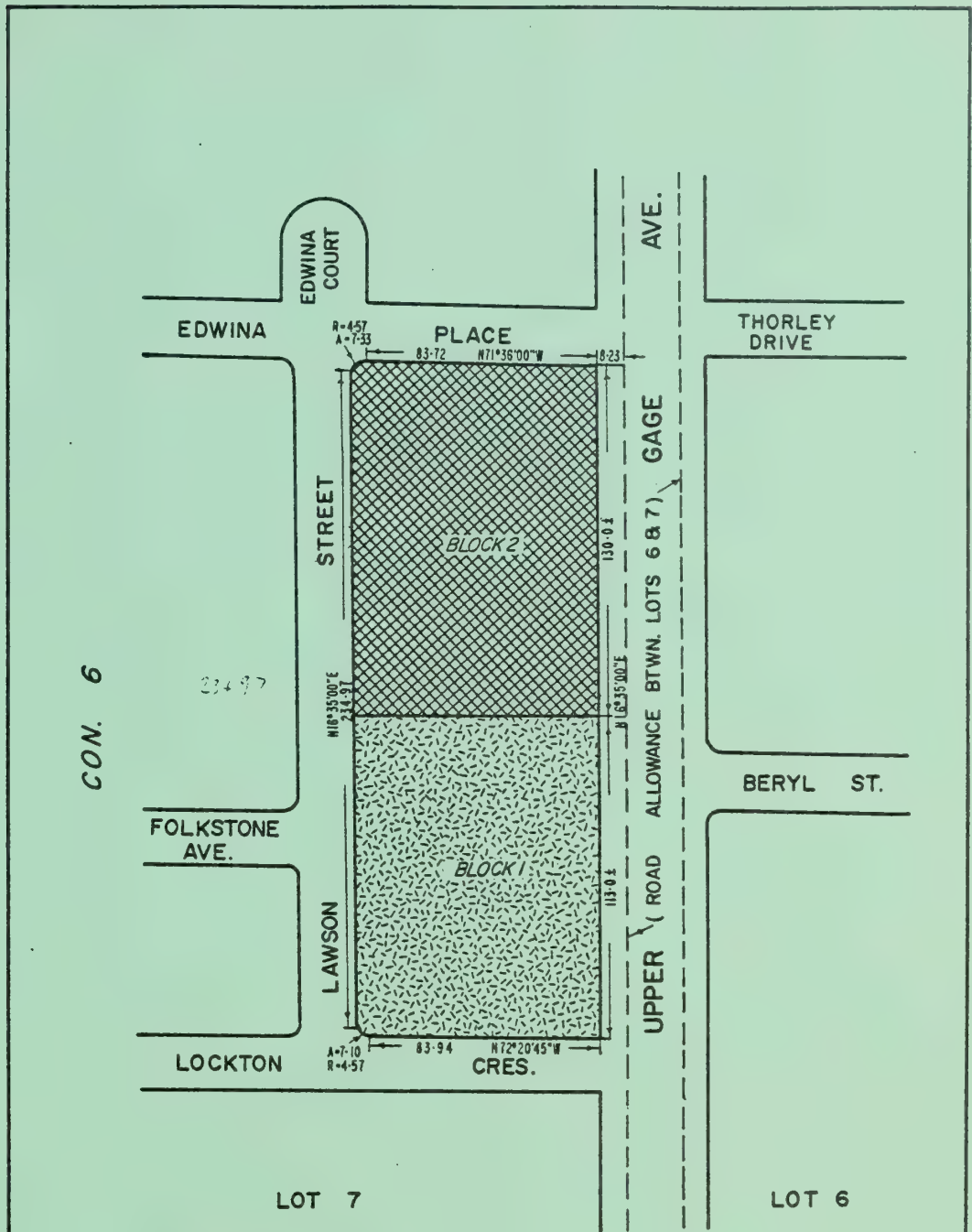
6. The City Clerk is hereby authorized and directed
to proceed with the giving of notice of the passing of this
by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 5 R.P.D.C. 2(2), February 25
H.S.R. Investments Ltd., Prospective Owner
Amended ZA-85-82



ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86 -
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"

MAP FORMING PART OF
BY-LAW NO.86-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 CHANGE IN ZONING FROM "DE" (LOW DENSITY
MULTIPLE DWELLINGS) DISTRICT TO "G" NEIGH-
BOURHOOD SHOPPING CENTRE, ETC) DISTRICT.

BLOCK 1
BLOCK 2 LANDS TO BE REGULATED BY BY-LAW NO.86-

North



Scale
N.T.S.

Reference File No.
ZA85-82

Date
86-02-24

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF MOHAWK ROAD WEST
AND UPPER HORNING ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding section 2 of By-law No. 85-117, the following:

(i) COMMERCIAL USES shall not be prohibited:

1. A restaurant.
2. A variety store.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-909a".

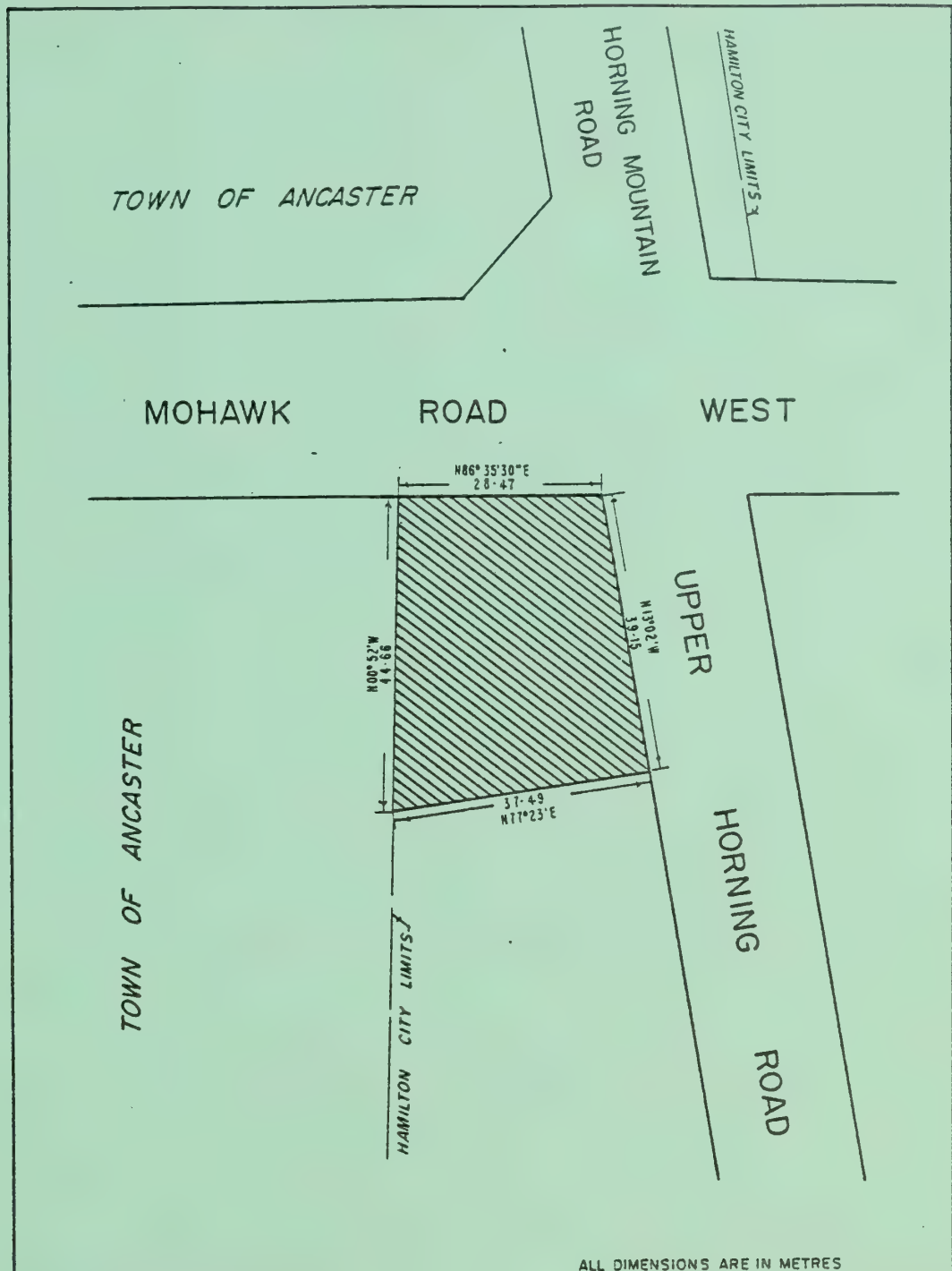
4. Sheets Nos. W-43A and W-43B of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-909a".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend:



LANDS TO BE REGULATED BY BY-LAW
NO.86-

North



Scale
1 : 750

Reference File No.
ZA 85 - 97

Date
86-03-03

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 85-148

Respecting:

LEASHED DOGS IN PUBLIC PARKS

WHEREAS By-law No. 85-148, passed on the 30th day of July, 1985, as amended by By-law No. 85-215, passed on the 8th day of October, 1985, provides for the control and licensing of dogs;

AND WHEREAS it is intended to amend the said by-law to provide that dogs on leashes be allowed in public parks.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Paragraph 1 of subsection 3(1) of By-law No. 85-148 is amended by adding at the end thereof "unless the dog is under control by means of a leash."

(2) Subsection 3(2) of the said by-law is amended by adding at the end thereof "except where the dog is under control by means of a leash in a public park."

2. Section 4 of the said by-law is amended by adding at the end thereof "except where the dog is under control by means of a leash in a public park."

3. Subclause 7(b)(i) of the said by-law is amended by adding at the end thereof "that is not under control by means of a leash."

PASSED this day of A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 75-198

As Amended By By-law No. 85-99

Respecting:

LAKELAND BEACH SWIMMING POOL

WHEREAS The City of Hamilton Act, 1975, S.O. 1975 (No. 2), Chapter 98 provides for the cancellation of business and realty taxes "in respect of Lakeland Beach Swimming Pool";

AND WHEREAS By-law No. 75-198, passed on the 9th day of September, 1975, provided in section 2 thereof as follows:

2. Arrears of realty and business taxes due and payable for each of the years 1976 to and including 1989 in respect of Lakeland Beach Swimming Pool are hereby cancelled;

AND WHEREAS the Council of The Corporation of the City of Hamilton at its meeting held on March 26, 1985, carried the following resolution:

"that the previous By-law exempting taxes on Lakeland Pool be amended by clearly defining that the exemption apply only to the pool and not additional development on the site, and that the amended by-law apply for the duration as stipulated in the original By-law."

AND WHEREAS the Finance Committee at its meeting held on the 9th day of May, 1985 determined that the following would be taxable:

- o restaurant building and land thereunder
- o patio roof and land thereunder
- o minimum parking area as required by Zoning By-law No. 6593 for a restaurant facility;

AND WHEREAS the Council passed By-law No. 85-99 on the 28th day of May, 1985 giving effect to its resolution adopted on the 26th day of March, 1985;

AND WHEREAS the Council at its meeting held on the 25th day of February, 1986 adopted section 12 of the 6th Report of the Finance Committee, as follows:

12. That By-law No. 85-99 be amended to provide for the cancellation of all realty and business taxes applicable to the Lakeland Beach Swimming Pool Complex.

AND WHEREAS this by-law is intended to implement the aforesaid direction.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2(2) of By-law No. 85-99 is repealed and the following substituted therefor:

(2) Arrears of realty and business taxes due and payable for each of the years 1985 to and including 1989 are hereby cancelled in respect of Lakeland Beach Swimming Pool Complex.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 6 R.F.C. 12, February 25

BY-LAW NO. 86-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF MARCH A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of March A.D. 1986

CITY CLERK

MAYOR

E. A. Simpson

E. A. SIMPSON
CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

K. E. AVERY
DEPUTY CITY CLERK

RATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

URBAN/MUNICIPAL

CAYON HBL ADE
A31

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

MAY 05 1986

Tuesday, 1986 April 8
7:30 o'clock p.m.
Council Chambers, City Hall

A G E N D A

1. Prayer - Reverend David Epp-Stobbe
Hamilton Mennonite Church
143 Lower Horning Road, Hamilton
2. Proclamation - "Community Justice Week"
April 13 - 19, 1986
3. Minutes of the Meetings held 1986 March 25 and 1986 April 1
4. Correspondence
5. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (F) Personnel Committee
 - (G) Finance Committee
6. Notice of Motion from previous meeting - Alderman H. Merling
7. Notices of Motion for next meeting
8. First reading of the Bills
9. Second reading of the Bills - Committee of the Whole
10. Third reading of the Bills
11. Question period
12. Adjournment.



NOTICE OF MOTION

ALDERMAN H. MERLING GAVE NOTICE THAT HE WOULD MOVE THE FOLLOWING NOTICE OF MOTION AT THE NEXT REGULAR MEETING OF COUNCIL:

RESOLVED: That the duties and responsibilities of the Office of Chief Administrative Officer be examined in order to determine if it is in the best interest of City Council to retain this position in view of the increased duties and responsibilities of the Executive Committee and the role being assumed by this Committee in the Civic Administration.

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its NINTH Report for 1986 and respectfully recommends:

1. That the City owned parking lot on Magill Street immediately adjacent to the premises of the Construction House of Hamilton Ltd. at 370 York Boulevard, be terminated for a period of six (6) months to permit a re-assessment of parking needs in the immediate area.

NOTE: For the information of the members of City Council, this lot was developed in 1983 on lands that were surplus to the City's requirements for the York Boulevard Improvement Project. The lot has a capacity of twenty-two (22) parking spaces. The usage of the lot has been almost non-existent with total revenues of \$40 in 1984 and \$58 in 1985. Expenses to operate the lot in 1984 were approximately \$4 500 and in 1985, \$5 500.

2. That the invitation from the Council of the Corporation of the City of Shawinigan, Quebec for a delegation of the members of Hamilton City Council to visit Shawinigan on May 9 and 10, 1986 be accepted.

3. That leave be granted to introduce the following Bill:

Bill A-6 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1986 April 3
/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TENTH Report and respectfully recommends:

1. That John Connon Nurseries Ltd. be awarded the order for the supply and delivery of various trees in accordance with the specifications issued by the Director of Purchasing and Vendor's tender, in the amount of \$46 912.55 all taxes included.

NOTE: The only complete tender received. Funding available in Account No. 0393-3323.

2. That the Corporation of the City of Hamilton enter into a lease agreement executed by Interval House of Hamilton-Wentworth on 1986, March 21, for a portion of City lands west and adjacent to their property at 1760 King Street East for landscaping purposes.

NOTE: The land to be leased has a frontage on King Street East of 20 feet (more or less) by a depth of 210 feet (more or less)

The rental is to be \$10 per annum plus annual taxes of \$180 and credited to account number 0306-0513.

That the lease commence the first of the month following City Council approval and that the Mayor and City Clerk be authorized to execute the lease agreement.

3. (a) That all references to (re) development of or on Harbour Commission Property be deleted from the Hamilton Waterfront Master Plan - September 1985.
- (b) That the maps in the Hamilton Waterfront Master Plan be corrected to indicate that the boundary between City and Hamilton Harbour Commission lands lies west of the Leander Boat Club.

NOTE: The Hamilton Waterfront Master Plan - September 1985, makes reference to possible new expanded uses of lands owned by the Hamilton Harbour Commission in the West Harbour (i.e. Leander Boat Club, Hamilton Yacht Club, Pier 8). As the development of City-owned lands is not contingent on these suggested uses of H.H.C. lands, references to them should not form part of the Master Plan. Should the H.H.C. wish to consider some such expanded uses on their property in future, City and H.H.C. staff can meet to explore the possibilities of co-operative action at that time.

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REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its EIGHTH Report for 1986 and respectfully recommends:

1. A. That approval be given to the proposed draft plan of subdivision, Application SA-85-25, Stonechurch Holdings Ltd., owner, to establish a plan of subdivision in the area south of the proposed Mountain Freeway and west of Upper Wentworth Street subject to the following conditions:
 1. That this approval apply to the plan dated 1985 December 9, prepared by S. W. Woods Inc., revised to show 122 lots, one block for townhouse development, one block for future development, four blocks for 0.3 m reserves, one block for road widening, and further revised to establish a radii at street "B" and minor revisions to some lot lines as shown on the approved draft plan.
 2. That the road allowances be dedicated as public highways on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That the final plan conform with the zoning by-law approved under The Planning Act.
 5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of park purposes.
 6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 8. That the dead-end of the road allowances created by the plan be terminated in 0.3 reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for changes in zoning for lands located in the area west of Upper Wentworth Street, south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "A" on the following basis:

Block "1" - change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

Block "2" - change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District; and,

The effect of the by-law is to permit single-family development on Block "1", and "small lot" single-family development on Block "2".

2. That approval be given to Zoning Application 86-12, Bruce Rankin, prospective owner, for a modification to the established "M-13" (Prestige Industrial) District regulations, to permit a greenhouse/nursery including the sales of top soil and firewood, for the property located on the west side of Dartnall Road in the area south of Stone Church Road East, as shown on the attached plan marked as APPENDIX "B", on the following basis:

(a) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

i) That notwithstanding Section 17E(1)(c) of Zoning By-law No. 6593, a greenhouse and nursery including, but not limited to, the sales of topsoil and firewood shall be permitted (S.I.C. Nos. 0162, 0163, 6522);

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-951, and that the subject lands on Zoning District Maps E59D be notated S-951;

(c) That the City Solicitor be directed to prepare a By-law to Amend Zoning By-law No. 6593 and Zoning District Maps E59C and E59D; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. That approval be given to Amended Zoning Application 85-96, Diton Construction Inc., prospective owner, for a change in zoning from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No. 19 Aikman Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:
- i) That the subject lands be rezoned from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Club, etc.) District;
 - ii) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (a) That notwithstanding the provisions of Section 11.(2) a maximum building height of 4-storeys shall be permitted.
 - (b) That notwithstanding the provisions of Section 11.(5) a maximum of 12 dwelling units shall be permitted.
 - iii) That the Parking and Loading Regulations as contained in Section 18A of Zoning By-law No. 5593 applicable to the subject lands, be modified to include the following variances as special requirements.
 - (a) That notwithstanding the provisions of Section 18A.(9) the required manoeuvring space for the required loading space shall be permitted off-site;
 - (b) That notwithstanding the provisions of Section 18A.(11)(a) the boundary of the loading space shall be fixed not less than 0.8 metres from the adjoining residential district boundary; and
 - (c) That the provisions of Sections 18A.(11)(a) and 18A.(12) shall not apply to the easterly side lot line.
 - iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-953, and that the subject lands on Zoning District Map E-22 be notated S-953;
 - v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22.

APPENDIX "E" to permit an "Observation and Detention Home" under the auspices of the Ministry of Community and Social Services, housing young persons aged 12 to 16 years; and that the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs.

- ii) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593 as amended by By-law No. 79-252 and further amended by By-law No. 79-296, applicable to the subject lands shown on the attached map marked as Appendix "E":
 - (a) That notwithstanding the provisions of Section 17E(1)(b) of Zoning By-law No. 6593, an "Observation and Detention Home" (S.I.C. Nos. 8122 and 8222) shall be permitted;
 - (b) That notwithstanding the provisions of Section 17E(2)(b)1.(iii) of zoning By-law No. 6593, a minimum rear yard of 6.0 metres shall be permitted; and,
 - (c) That notwithstanding the provisions of Section 17E(2)(e)1.(iii) of Zoning By-law No. 6593, a landscape area having a minimum width of 15.0 m and a minimum length of 70.0 m shall be provided in the area shown on the attached plan marked as "APPENDIX "E".
 - iii) That the amending By-law be added to Section 19B of zoning By-law No. 6593 as Schedule S-658b, and that the subject lands on Zoning District Maps E-69C and E-69D be notated S-658b;
 - iv) That the Mountain Industrial Area Plan be amended by redesignating the subject lands from "Restricted Industrial Commercial" to an "Institutional" land use designation;
 - v) That the proposal will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 37; and,
 - vi) That the City support the application to amend the Hamilton-Wentworth Official Plan to permit the institutional development as outlined above.
- b) That the Housekeeping Amendments include an appropriate amendment to provide for a minimum 15.0 m wide landscape area for those "M-13" Zoned lands on the west side of Archer Road adjoining the "A" District, excluding the subject lands.

- i) that notwithstanding any provision of Zoning By-law No. 6593 any permitted use, or combination thereof, as set under Subsection 15A(1) shall only be permitted in the existing building.
 - ii) that the phrase "in the same building with a hotel", and the provisions of the second paragraph of Subsection 15(a)(1)(ia) shall not apply to the existing building.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-954, and that the subject lands on Zoning District Map W4 be notated as S-954.
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W4.
- (e) That the Central Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Commercial and Apartments".
- (f) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area.
- ii) That the applicant enter into an Encroachment Agreement with the Region of Hamilton-Wentworth for the subject buildings, which encroach into the James Street South road allowance.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the established "I" (Central Business) District regulations applicable to the property located at No. 36 James Street South (Pigott Building) and the established "HI" (Civic Centre Protected) District regulations applicable to the property located at No. 42 James Street south (Sun Life Building), as shown on the attached map marked as APPENDIX "F".

The effect of the By-law is to permit the renovation of the existing buildings for apartment hotel and apartment uses. In addition, the By-law provides an exemption to the requirements of Zoning By-law No. 6593 (e.g. parking), for the permitted uses or any combination of permitted uses in the "I" or "HI" District for the existing buildings only.

The By-law also provides an exemption to the percentage mix requirements respecting Class A dwelling units, housekeeping dwelling units, hotel bedrooms and hotel bedroom suites for the existing building at No. 42 James Street South (Section 15A(1)(ia)).

EXPLANATORY NOTE:

In preparation for a potential O.M.B. Hearing on O.P.A. No. 28, (land use strategy for Upper James Street), it is advisable for the City to hire a consultant to provide economic advice and if required, to provide evidence.

10. (a) That City Solicitor be authorized and directed to prepare a By-law to remove part lot control from lots 1 to 4 inclusive on Plan M-428, Oakland Park Extension No. 4, and
- (b) That the Region be requested to approve the By-law removing part-lot control on the above noted lots.

EXPLANATORY NOTE:

Removal of "part-lot control" is a measure provided under The Planning Act expressly to permit the establishment of maintenance easements without having to obtain approval of each individual easement by the Land Division Committee thereby eliminating the need for a number of separate applications.

Once the reference plan showing the maintenance easements has been registered and the deeds for the lots are registered subject to maintenance easements in favour of adjoining property owner, part-lot control should be re-established. The Planning Act allows the City of Hamilton to repeal "part-lot control" by-laws without further approval of the Regional Council.

Both the By-law to remove "part-lot control" and the repealing By-law must be registered by the City Clerk in the Land Titles Offices.

11. That the Regional Municipality of Hamilton-Wentworth be requested to grant a six month extension to the draft approval for Quincy Court Subdivision (Regional File No. 25T-78023), a three year extension for Butler No. 1 Subdivision (Regional File No. 25T-76046), and one year extensions for Hillside Terrace Subdivision (Regional File No. 25T-77018) and Aspen Estates Subdivision (Regional File No. 25T-76045).
12. (a) That the Eleanor Neighbourhood Plan be amended to delete the proposed walkway designation on City owned lands known as 1418 Upper Gage Avenue between Elmore Drive and Upper Gage Avenue and that the City lands be disposed of by the City.
- (b) That the Neighbourhood Plan Land Use Designation for the City lands be changed from low-density apartments to single and semi-detached housing.

- (c) The Mayor and City Clerk be authorized and directed to execute all necessary documents required to amend the City subdivision agreement for "Paradise Acres - Phase 2", Hamilton.

EXPLANATORY NOTE:

The draft plan for "Paradise Acres" was approved in 1980. One of the conditions of approval required the Developer to construct a closed screen fence and plant trees along the easterly limit of the subdivision to act as a visual barrier between this subdivision and the adjacent Drive-In Theatre. The subdivision agreement for "Paradise Acres - Phase 2", as prepared in July 1985 included the specific requirements for the construction of the fencing and trees.

Since the registration of the survey plan for "Paradise Acres - Phase 2", the adjacent Drive-In Theatre property has been sold to new owners. A new draft plan of subdivision for the Drive-In property was submitted and approved by Regional Council on January 21, 1986. This draft plan is now known as "Courtland Estates". The re-zoning of the property to a "C" District (single family residential) was also finalized in January 1986. The Drive-In Theatre facility has been demolished in preparation for the development of this property during the summer of 1986.

As a result of the actions being taken by the owners of "Courtland Estates", the requirement to construct the fencing and trees along the easterly limit of the "Paradise Acres-Phase 2" subdivision agreement be amended to delete the fencing and tree planting requirements along the easterly boundary.

17. (a) The City subdivision agreement for "Templemead No. 2 Survey - Phase 3" be amended to delete the requirements, within Section XXII, to establish any "maintenance easements" which are related to Lots 21, 22 and 23;
- (b) The Developer is to prepare and register an amending agreement, to the satisfaction of the City Solicitor's Office and at the Developer's expense.
- (c) The Mayor and City Clerk be authorized and directed to execute all necessary documents required to amend the City subdivision agreement for "Templemead No. 2 Survey - Phase 3", Hamilton.

EXPLANATORY NOTE:

Maintenance easements are required to be established in "R4" zoning districts, (zero lot line). However, Lots 21, 22 and 23 are within a "C" zoning district which does not require maintenance easements. Therefore, the subdivision agreement should be amended by deleting the requirement to establish maintenance easements for Lots 21, 22 and 23.

22.

"That, Section 17., c), i), The First Report for 1986 of The Planning and Development Committee adopted by City Council 1985 December 10 be rescinded and the following adopted in lieu thereof:

17., c), i) : "That, the Mayor and City Clerk be hereby authorized to execute an Agreement with the Hamilton-Wentworth Roman Catholic Separate School Board, and the Roxborough Park Task Force (comprised of the Presbytery of Hamilton of the Presbyterian Church of Canada; The Synod of the Diocese of Niagara of The Anglican Church of Canada; and, The Roman Catholic Episcopal Corporation of The Diocese of Hamilton in Ontario) Whereby the City grants to The Board twenty thousand dollars (\$20,000.) to appropriately renovate portion of St. Helen's School and make said portions of the School available to the Task Force to provide, for a period of no less than ten (10) years, community services to the frail elderly.

"If the Task Force does not provide such services for the full ten (10) year period, the Board agrees to repay a pro-rated portion of the grant based on the outstanding period of services."

EXPLANATORY NOTE:

As previously-approved by City Council, a multi-service social centre is being developed in the McQuesten Neighbourhood, pursuant to the provisions of the Ontario Neighbourhood Improvement Programme (O.N.I.P.), within the premises of Roxborough Park Presbyterian Church and Manse and, St. Helen's School.

The provision of services to the frail elderly will be from portion of St. Helen's School - which is readily, handicapped-accessible to this group - however, the Education Act does not provide for the School Board to enter into an Agreement with The City to provide such service. Consequently, the Roxborough Park Task Force was established to, in fact, provide the services, and accordingly, the City's Agreement with the Board is now to be a three-party Agreement whereby our financial contribution is secured with the Board as owner of the premises and, the Task Force guarantees the provision of service."

2. Private and public property owners would not be given full access to both municipal and provincial heritage funds because of the reduced numbers of designations (a pre-requisite).
3. Loans/grants would be reduced thereby jeopardizing retention of Community Heritage Funds.
4. The City would not take advantage of the opportunity to stimulate activity in the historical renovation trade with beneficial spin-offs in the employment, real estate and higher taxes.

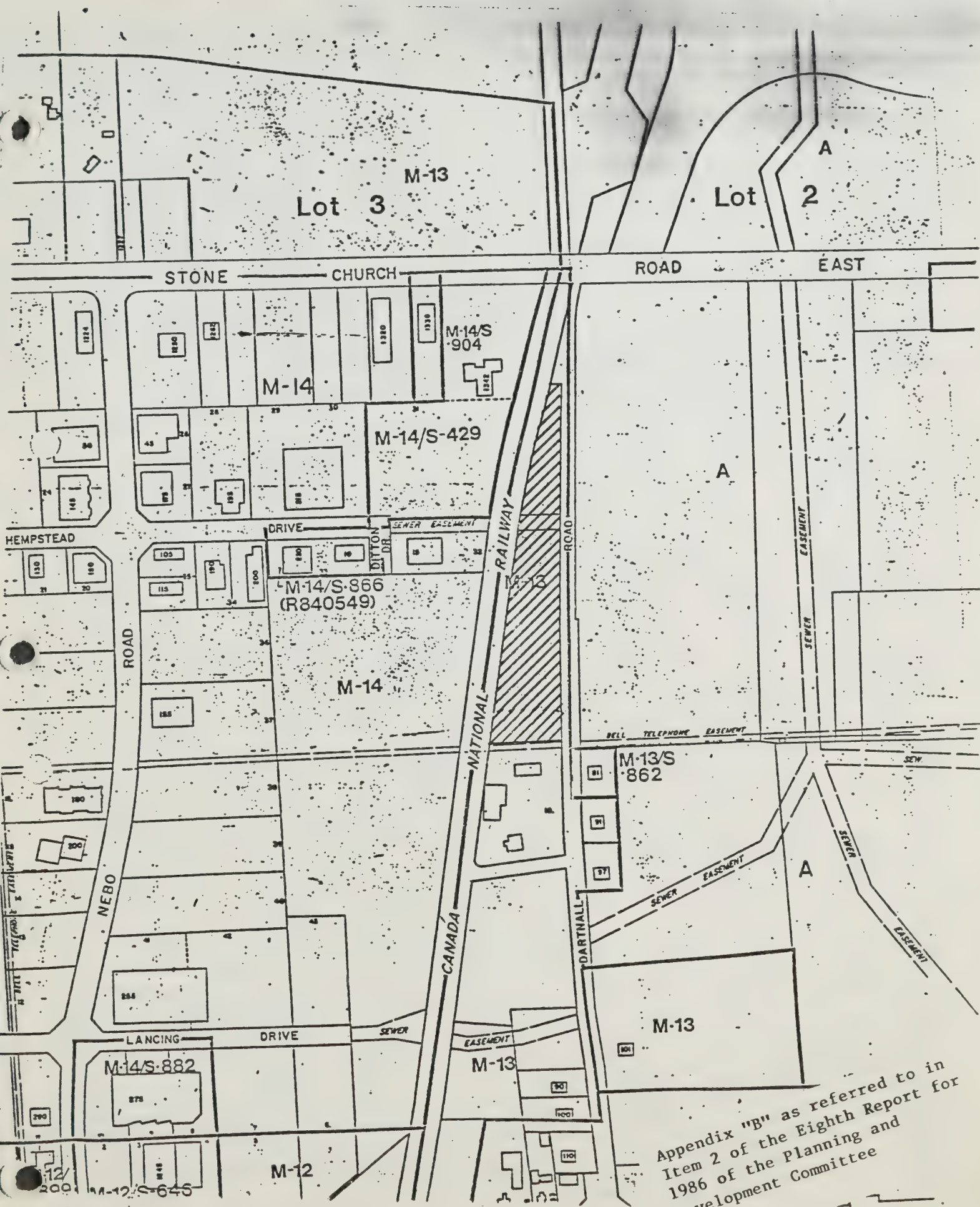
24. That leave be granted to introduce the following Bills:

- D-37 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 304, 306, 310, 312, 316, 318, 320, 322, 324 and 326 Victoria Avenue North.
- D-38 By-law to Establish Site Plan Control Respecting Lands Located at Municipal Nos. 304, 306, 310, 312, 316, 318, 320, 322, 324, and 326 Victoria Avenue North.
- D-39 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the East Side of Upper Gage Avenue in the Area North of Rymal Road East.
- D-40 By-law to Designate The Property Located at Municipal Nos. 233-235 Locke Street North as Property of Historic and Architectural Value and Interest.
- D-41 By-law to Designate as a Heritage Conservation District the Area Comprised of St. Clair Avenue between Main Street East and Delaware Avenue.
- add Collins*
R.B. - D-42 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the East Side of Mount Albion, in the Area North of Greenhill Avenue.
- D-43 By-law to Amend By-law No. 83-73 Respecting Term of Membership in the Committee of Adjustment.

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

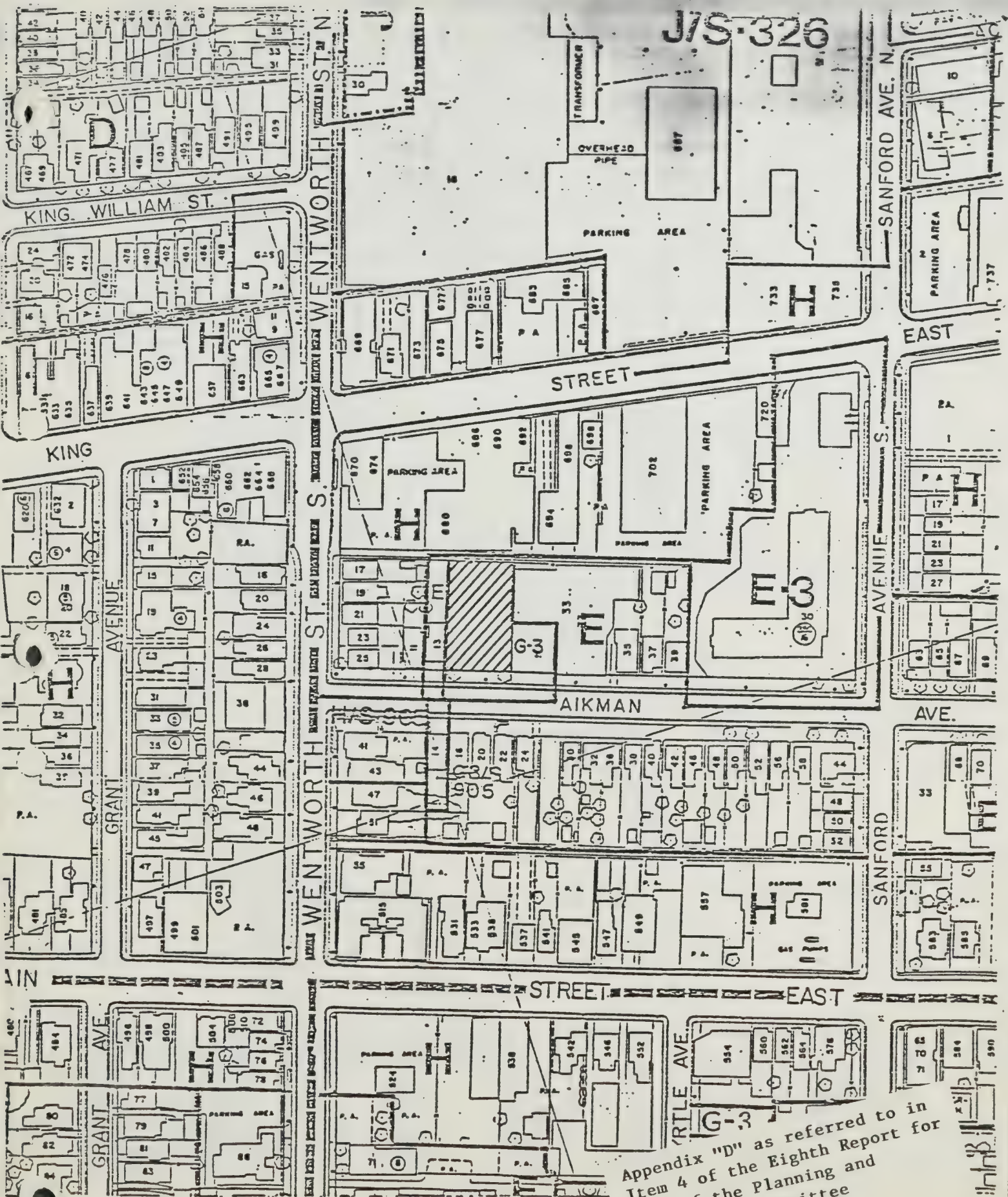
John Thompson, Secretary,
Planning and Development Committee



SITE OF THE APPLICATION

Appendix "B" as referred to in
Item 2 of the Eighth Report for
1986 of the Planning and
Development Committee





SITE OF THE APPLICATION

Appendix "D" as referred to in
Item 4 of the Eighth Report for
1986 of the Planning and
Development Committee



PROPOSED CONCESSION STREET
BUSINESS IMPROVEMENT AREA
BOARD OF MANAGEMENT - 1986

Ross Somerville	Lockharts Ladies Wear
Paul Ford	Don Ford and Assoc.
Ray Devries	Ray Devries Real Estate
Joe Marion	Wilf's Hardware
Ed Horyn	Walt's Variety
Stew Millar	New Dundee Pie Shoppe
Elliot Raphael	So Low Sales
Norm Woolcott	Woolcott Shoes
Pat Wright	Pat Wright and Sons Catering
John Gallagher	Alderman, Ward 7
Henry Merling	Alderman, Ward 7
Larry Kipp	

Appendix "H" as referred to in
Item 21 (a) of the Eighth Report
for 1986 of the Planning and
Development Committee

SCHEDULE OF PAYMENTS FOR 1986

<u>DATE REQUIRED</u>	<u>AMOUNT</u>
April 1, 1986	\$ 3,000.00
May 1, 1986	2,000.00
June 1, 1986	3,000.00
July 1, 1986	3,000.00
Aug. 1, 1986	<u>1,000.00</u>
TOTAL	<u>\$12,000.00</u>

Appendix "J" as referred to in
Item 21 (d) of the Eighth
Report for 1986 of the Planning
and Development Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIFTH Report for 1986 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute an Agreement between The Corporation of the City of Hamilton and the Township of Glanbrook in the Regional Municipality of Hamilton-Wentworth whereby the City will provide, through the Hamilton Fire Department Communication Centre, emergency communications for the Township of Glanbrook.
2. That the Mayor and City Clerk be authorized to execute an Agreement between The Corporation of the City of Hamilton and the Town of Ancaster in the Regional Municipality of Hamilton-Wentworth whereby the City will provide, through the Hamilton Fire Department Communication Centre, emergency communications for the Town of Ancaster.
3. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to March 26, 1986, as set out on the list attached hereto as Schedule "A".
4. Approval of the payment of an account in the amount of \$3,000.00 to the Coopers & Lybrand Consulting Group. This account is for services performed over and above the original contract on the salary review for Non-Union personnel, and is to be charged to Personnel Account Number 0327-0154, Labour Relations Consulting Services.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1986 April 02.

Salary Report Non Union 5
Salary Report Council 6 R.V.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Shirley Strang	Clerk II - Printing & Mailing	City Clerk's	returning to perm. position (was replacing Chris Davies - mat. leave)	D-2	\$336.54 per week	Feb. 24/86
Mr. William Whyte	Labourer	Public Works	transferred as requested by employee	D-5	\$11.161 per hour	Mar. 13/86

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Ronald Doucet	Jr. Inspection Clerk (temporary)	Building	replacing Beverly Canzi - L.T.D.	A-4	\$388.94 per week	Mar. 12/86
Mr. Albert Fletcher	Motor Mechanic (temporary)	Central Garage Div. of Public Works	replacing Roy Greening - L.T.D.	D-17	\$13.547 per hour	Mar. 17/86
Mrs. Bev LaFave	Secretary B (temporary)	Building	replacing Helen Ellenuck - vacation & early retirement	110	\$22,119.76 per annum	Mar. 3/86
Mrs. Marie Powell T 5	Secretary B (temporary)	Culture & Recreation	replacing Jackie Turner - temporarily promoted	110	\$20,346.56 per annum	Jan. 2/86
Mr. Gino Tedesco	Motor Mechanic (temporary)	Central Garage Div. of Public Works	replacing Ronald Hawkes - W.C.B.	D-17	\$13.547 per hour	Mar. 17/86

Prepared March 26, 1986

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its ELEVENTH Report for 1986 and respectfully recommends:

1. That the total estimated cost of \$1 500 required to host a reception for the Hamilton Firefighters' Drum Corp in recognition of their 25th Anniversary be charged to the Unclassified Expenditure Account 0378-72xx.

NOTE: City Council at its meeting March 25, 1986, approved Item 1 of the Seventh Report of the Legislation Committee related to the City hosting a reception in May 1986 for the Hamilton Firefighters' Drum Corp.

2. That a Convention/Reception Grant in the amount of \$250 to the Hamilton Jewish Community Centre to defray the costs of the Max Rotman Humanitarian Youth Award April 13, 1986, be approved.
3. That the claims of John and Deborah Turnbull and their son Jonathan Turnbull against the City be settled in the amount of \$2 000 payable to John and Deborah Turnbull.

NOTE: On December 27, 1985 Jonathan Turnbull fell down some stairs at Sam Lawrence Park hitting his head on a wall at the bottom of the stairs suffering head injuries. A settlement has been negotiated with his parents, John and Deborah Turnbull in the amount of \$2 000.

Respectfully submitted,

ALDERMAN P. O. VALERIANO
CHAIRMAN, FINANCE COMMITTEE

R. C. Prowse
Secretary

URBAN/MUNICIPAL
CATON HBL A05
A31
1986

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

APR 28 1986

MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 April 29
7:30 o'clock p.m.
Council Chambers, City Hall

A G E N D A

1. Prayer - Pastor Paul Naylor
Southmount Baptist Church
60 Elmore Drive
2. Proclamation - "Beta Sigma Phi Day"
1986 April 30
3. Minutes of the Meetings held 1986 April 8, 11 and 15
4. Correspondence
5. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (B) Transport and Environment Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (E) Legislation Committee
 - (F) Personnel Committee
 - (G) Finance Committee
6. Notices of Motion for next meeting
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question period
11. Adjournment.

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its TENTH Report for 1986 and respectfully recommends:

1. That the 1986 Reconstruction/Resurfacing Program, as approved by City Council on February 25, 1986, in the gross amount of \$6 365 000, which was previously limited to financing in the net amount of \$ 3 000 000, now be extended to the full net amount required of \$4 135 000 as indicated in the 1986-1990 Capital Budget, with the additional financing of \$1 135 000 to be allocated from the 1986 Capital Levy, and the balance of the financing to come from the roadway subsidy from the Ministry of Transportation and Communications estimated at \$2 230 000.
2. (a) That the City Treasurer be authorized to make application to the Ministry of Transportation and Communications for the City of Hamilton 1986 Normal and Supplementary Applications for Subsidy as follows:

	Estimated Total Expenditure (1)	Estimated Subsidizable Expenditure (2)	Estimated Subsidy Dollars (3)
<u>Normal Application</u>			
- Maintenance	\$ 6 746 000	\$ 6 208 000	\$3 104 000
- Construction	6 769 000	4 956 000	2 478 000
	<u>\$13 515 000</u>	<u>\$11 164 000</u>	<u>\$5 582 000</u>
<u>Supplementary Application</u>			
- Maintenance	\$ 807 870	\$ 743 020	\$ 371 510
- Construction	3 419 000	2 088 000	1 044 000
	<u>\$17 741 870</u>	<u>\$13 995 020</u>	<u>\$ 6 997 510</u>
	=====	=====	=====

- (b) That the City Treasurer be authorized to petition the Minister of Transportation and Communications for subsidy payments as necessary.

NOTE: The total subsidy allocation provided by the Ministry of Transportation and Communications for roadway expenditure in 1986 is \$5 582 000. The estimated total roadway expenditures as contained in the 1986 Current and Capital Budgets require a subsidy allocations of \$6 997 510 or \$1 415 510 in excess of the Subsidy dollars allocated to the City of Hamilton.

3. That the Proposal Call attached hereto as Schedule "A" with respect to a salary study for the non-union employees of the Hamilton Entertainment and Convention Facilities Inc., be approved.

NOTE: The Executive Committee wishes to advise that the H.E.C.F.I. Board of Directors are of the opinion that the salary study undertaken by Currie, Cooper and Lybrand for the City of Hamilton during later 1984 and later 1985 does not totally or accurately reflect and consider H.E.C.F.I.. The study only dealt with the employees of the City of Hamilton as they existed while the study was being conducted which was before the Boards Incorporation.

At the time the study concluded, very few of the personnel for Copps Coliseum were hired, the Director of Marketing for H.E.C.F.I. was not hired; and both Hamilton Place and Convention Centre personnel were only considered as they were at the time of the study and not as future personnel of H.E.C.F.I.

4. That the Vacation, Time-Off-In-Lieu, Overtime policy for the Hamilton Entertainment and Convention Facilities Inc. non-union employees as set out in Schedule "B" attached hereto, be approved.
5. Approval of the concept drawing of the Electronic Sign, (attached as Schedule "C"), proposed for installation immediately adjacent to the Copps Coliseum at Bay and York Streets.

NOTE: Provision of \$350 000 is included in the appropriations for the cost of this sign.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee
1986 April 10
1986 April 17

PROPOSAL CALL FOR EMPLOYEE COMPENSATION STUDY

1. PROCESS

Closing Date and Time

Proposals for an Employee Compensation Study of approximately 67 non-union employees must be delivered (ten copies) to Mr. E. A. Simpson, City Clerk, City Hall, Hamilton, Ontario, by 11:00 a.m. (E.S.T.), . Proposals received after this time will not be considered.

Committee Review Process

A short list of the most eligible consultants will be interviewed by the Proposal Review Committee which will consist of seven staff members: the Managing Director/Chief Executive Officer, the Directors of Finance and Administration, Marketing, Copps Coliseum, Hamilton Convention Centre and Hamilton Place and the City's Deputy Director of Personnel.

This Committee will prepare a short list and recommend to the Audit/Finance Committee of the Board with priority ranking.

2. TERMS OF REFERENCE

The major objective of the study is to develop a fair and equitable compensation structure for positions in the Corporation.

The salary structures should be compatible with those in related industry.

The study should be complete with a report presented to the Audit/Finance Committee of the Board within three months of the approval of the successful consultant's submission.

3. PROPOSAL CONTENT

The proposal should, as a minimum, cover the following:

1. A detailed approach and work plan for the complete project.
2. Fees and expenses for the project.
3. A general description of the consulting firm which includes the proposed project team, any relevant experience and resumes.
4. Resources available.

5. A detailed description of the method used to establish the ranking of jobs.
6. An outline of topics that will be covered in the final reports including:
 - methods of maintaining the system;
 - methods of dealing with overpaid and underpaid jobs, and
 - methods of implementing the proposed recommendations.
7. An outline of the survey methodology to determine competitive salaries in the industry.
8. The names of client officials who could act as contact references.

4. ORAL PRESENTATION

If selected to make oral presentation to the Proposal Review Committee, it is expected that the principal or principals who will be assigned to do the Employee Compensation Study will be present to meet the Committee, and preferably will make the presentation on behalf of the firm.

5. INDEMNITY

The successful proposer shall and does hereby indemnify and save harmless the Municipality and HECFI from and against all claims, expense, loss, cost, damages, charges and suits which the Municipality or HECFI may suffer, incur or become liable for, by reason of, or arising out of any breach, violation or non-performance, of the Agreement or through any act, omission, neglect or default by the successful proposer, its servants, agents or employees in providing the services herein contemplated.

7. SIGNING AUTHORITY AND CORPORATE SEAL

The signatures of the authorized signing officers of the firm submitting the proposal will be in their respective handwriting, and, if a corporation, be under the corporate seal of the company.

8. TIME OPEN FOR ACCEPTANCE

This proposal call is irrevocable and is to continue open to acceptance by HECFI for ninety (90) calendar days after the date and time set for submission of the proposal. The Municipality and HECFI may at any time within the ninety (90) calendar day period accept this tender whether or not any other proposal has previously been accepted.

9. WITHDRAWAL

HECFI at its discretion reserves the right to withdraw this proposal call at any time and shall not be liable for any expense, cost, loss or damage incurred or suffered by any proposer as a result of such withdrawal.

10. ACCEPTANCE

HECFI reserves the right to reject any, or any part of, or all proposal calls and award a contract to other than the lowest proposal.

11. INFORMATION REGARDING PROPOSAL

For technical information contact Mr. John A. Leuser, C.A., Director of Finance and Administration, at Copps Coliseum, 526-4450 and for all other information contact Mr. Tom Bradley, Director of Purchasing, 526-2799, at City Hall.

Tom Bradley
Director of Purchasing
Corporation of the City
Hamilton

Date: _____

March 4, 1986

HECFI TIME-OFF-IN-LIEU/OVERTIME POLICY

Senior Management Personnel

Senior management personnel shall include the Managing Director, the Directors of Finance and Administration, Marketing, Hamilton Place Theatre, Copps Coliseum and the Hamilton Convention Centre.

Job responsibilities often require that senior management personnel work on holidays (New Year's Day, Good Friday, Easter Sunday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day).

When required to work on any of the above holidays, senior management personnel should take the next convenient day as Time-Off-In-Lieu of having worked on the holiday.

The above Time-Off-In-Lieu provisions will be in lieu of any extra salary or overtime payments for senior management personnel.

Time-Off-In-Lieu earned in one year must be taken prior to March 31st of the following year. If all the outstanding Time-Off-In-Lieu from the previous year is not taken by March 31st of the following year, it will be forfeited.

Each senior management personnel member would be advised to keep their own file and record of the Time-Off-In-Lieu entitlement and periodically check with the Director of Finance and Administration to review their records (see attached form).

Other Management Personnel

Job responsibilities often require that other management personnel work on holidays (New Year's Day, Good Friday, Easter Sunday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day).

When required to work on any of the above holidays, other management personnel should take the next convenient day as Time-Off-In-Lieu of having worked on the holiday.

HECFI TIME-OFF-IN-LIEU/
OVERTIME POLICIES

2

March 4, 1986

These Time-Off-In-Lieu days should be requested and approved by each Department Head and documented so that they are not confused with normal vacation days.

In addition, at the written recommendation of each Department Head and subject to the approval of the Managing Director, each other management personnel member may receive up to a maximum of five (5) additional days as Time-Off-In-Lieu for extra overtime hours worked such as weekends and evenings.

The above Time-Off-In-Lieu provisions will be in lieu of any extra salary or overtime payments for other management personnel.

Time-Off-In-Lieu earned in one year must be taken prior to March 31st of the following year. If all the outstanding Time-Off-In-Lieu from the previous year is not taken by March 31st of the following year, it will be forfeited.

Each other management personnel member would be advised to keep their own file and record of the Time-Off-In-Lieu entitlement and periodically check with the Department Head to review records (see attached form).

The following HECFI staff shall be designated as other management personnel:

- (1) All personnel at or above City pay category 110, including the Box Office Supervisors; and
- (2) All Convention Centre personnel at or above Convention Centre pay category 105.

Non-Management Personnel

When non-management personnel are required as a result of job responsibilities to work holidays (New Year's Day, Good Friday, Easter Sunday, Easter Monday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day) that shall be treated as Overtime.

Overtime is also considered to be time incurred outside of standard hours established for a Department or Section. For example, standard hours for office workers are 9:00 a.m. to 5:00 p.m., with one hour for lunch. As a result, if a supervisor requires an office employee to work from 8:00 a.m. to 5:00 p.m., an hour's Overtime would be involved. If an employee is specifically asked to work through his/her lunch hour, this also is to be considered Overtime. However, if an employee volunteers to work his/her lunch hour in order that he/she might finish early that day or another day, that hour is not considered as Overtime.

If included in an employee's work schedule (job description) there is a requirement that non-standard hours be incurred (i.e. before 9:00 a.m. or after 5:00 p.m.) as part of his/her 35 hour work schedule, no Overtime has been incurred. An example of this would be if a secretary to a Committee of the Board is required to attend regularly scheduled monthly Committee meetings in the evening. In this case, the Department Head could provide the secretary with compensating time off at straight time so that the total hours worked in the week would not exceed 35 hours and Overtime would not be incurred.

Compensation for Overtime

Overtime is not to be paid out. Instead, compensating time calculated at time and one-half is provided for each authorized hour of Overtime.

Controlling and Monitoring Overtime and Compensating Time Taken

All Overtime worked or compensating time taken must be authorized prior to occurrence. Each Department Head should have a system in place for monitoring and controlling Overtime or compensating time taken. The attached monthly Overtime (compensating time taken) Record Schedule is recommended to Department Heads for their use.



Hamilton
Entertainment
and Convention
Facilities Inc.

101 York Boulevard
Hamilton, Ontario
Canada L8R 3L4

Te: 416/526-4450

VACATION RECORD

EMPLOYEE NAME: _____

POSITION/TITLE: _____

YEAR: _____ VACATION ENTITLEMENT: _____ DAYS

VACATION ENTITLEMENT CARRIED FORWARD FROM PREVIOUS YEAR: _____ DAYS

RECORD:

<u>VACATION DATES</u>	<u># OF DAYS TAKEN</u>	<u># OF DAYS REMAINING FROM PREVIOUS YEAR</u>	<u># OF DAYS REMAINING FOR CURRENT YEAR</u>
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UNTAKEN VACATION ENTITLEMENT AT YEAR END: _____ DAYS



Hamilton
Entertainment
and Convention
Facilities Inc.

101 York Boulevard
Hamilton Ontario
Canada L8R 3L4

Tel. 416/526-4450

MONTHLY OVERTIME (COMPENSATING TIME TAKEN)
RECORD

DEPARTMENT _____

EMPLOYEE NAME _____

EMPLOYEE NUMBER _____

<u>DATE</u>	<u>OVERTIME HOURS WORKED (COMPENSATING TIME TAKEN)</u>	<u>EXPLANATION</u>	<u>AUTHORIZATION</u>
Balance carried forward from prior month.....			

T O T A L

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its ELEVENTH Report for 1986 and respectfully recommends:

1. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway in the block bounded by Beechwood Avenue, Barnesdale Avenue, Rosemont Avenue and Sherman Avenue at an estimated cost of owner's share of \$21 225.84 as well as City's share of \$50 774.16 by the issuance of debentures totalling \$72 000 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$72 000 for a term not to exceed 15 years.

NOTE: Section 31 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

2. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alley first south of Aberdeen Avenue running from Chedoke Avenue to Flatt Avenue at an estimated cost of owner's share of \$5 432.13 as well as City's share of \$16 567.87, by the issuance of debentures totalling \$22 000 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$22 000 for a term not to exceed 15 years.

NOTE: Section 32 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

3. That the estimated cost of \$26 000 to install catch basins and connections on Kennedy Avenue and Malton Drive be financed from the Reserve for Capital Projects account 0280-27.

NOTE: Section 43 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

4. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of the project "Centralized Computer Fuel System", in the 1986-1990 Capital Budget, at an estimated cost of \$300 000 with no eligible subsidies, and to issue debentures for a period not to exceed 15 years to be recovered from the mill rate levied on all rateable property. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$300 000 for a term not to exceed 15 years.

NOTE: Section 2 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funding to be provided for this Capital Project.

5. That the following projects in the total amount of \$501 000 be financed from the 1986 Capital Levy:
 - (a) Replacement of James Street steps, project 36273, in the 1986-1990 Capital Budget, at an estimated cost of \$300 000.
 - (b) Construction of Salt Dome, project 36274, in the 1986-1990 Capital Budget, at an estimated cost of \$131 000.
 - (c) Watercourse Drop Structure, west of 350 Quigley Road, project 36277, in the 1986-1990 Capital Budget, at an estimated cost of \$70 000.

NOTE: Section 2 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

6. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of the Project "Track Facility -Mohawk Sports Park", in the 1986-1990 Capital Budget, at an estimated cost of \$300 000 with no eligible subsidies, and to issue debentures for a period not to exceed 15 years to be recovered from the mill rate levied on all rateable property. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$300 000 for a term not to exceed 15 years.

NOTE: Section 6 of the Twelfth Report of the Parks and Recreation Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

7. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of the 1986 portion of the project "Bike Paths", in the 1986-1990 Capital Budget, at an estimated cost of \$330 000 with no eligible subsidies, and to issue debentures for a period not to exceed 15 years to be recovered from the mill rate levied on all rateable property. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$330 000 for a term not to exceed 15 years.

NOTE: Section 9 of the Twelfth Report of the Parks and Recreation Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

8. That the following projects in the total amount of \$206 000 be financed from the 1986 Capital Levy:

- (a) Chedoke Golf Course Storage and Workshop, project 36626, in the 1986-1990 Capital Budget, at an estimated cost of \$86 000
- (b) Floodlighting Fields - Mohawk Sports Park, project 36628, in the 1986-1990 Capital Budget, at an estimated cost of \$120 000.

NOTE: Section 6 of the Twelfth Report of the Parks and Recreation Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

9. That inasmuch as the Capital Budget is only a plan or projection of the projects to be undertaken for a five year period, and the each capital project must go through a formal approval process before commencement, the following procedure be adhered to by all Local Boards which presently includes the Public Library Board, Hamilton Entertainment and Convention Facilities Inc. (H.E.C.F.I.), and the Parking Authority Board:

- (a) The Local Board approved the project in detail and in total, including the appropriate Capital Budget reference.
- (b) The Local Board submit a request for approval of the project, together with the information of its approval by the Local Board to the Executive Committee of the City of Hamilton. This submission to include the request "that the Executive Committee recommend to City Council the amount and source of funds to be provided for this capital project".

- (c) The Local Board included with their submission an approved itemized list where such project involves more than one item.
- (d) The Local Board forward to the City Treasurer a copy of the submission to be presented to the Executive Committee so he may make the appropriate recommendation for funding the project.
- (e) The main responsibilities of the Executive Committee are:
 - (i) to confirm that the Local Board has formally approved of the project in detail and total, and,
 - (ii) to approve of the total and the funding source of the project indicating the appropriate Capital Budget reference.
- (f) As a secondary consideration, if the project or some portion of the project is not satisfactory to the Executive Committee, the total submission or the appropriation portion of the submission shall be referenced back to the Local Board outlining the reason(s) for reconsideration which may include the following: (i) lack of proper documentation, (ii) contrary to City policy or procedures, or (iii) contrary to the established terms of references of the Local Board, or (iv) inadequate funding.
- (g) Upon approval of the Executive Committee, a recommendation shall be forwarded to City Council for approval of the project and the fundings.

- 10. (a) That as recommended by the Parks and Recreation Committee, a "Half-Way House" be constructed at the Chedoke Golf Course at an estimated cost of \$50 000 with costs of this project being borne by a special levy/surcharge commencing in 1987, to the membership and green fee players at the Chedoke Golf Course over the next five (5) years.
- (b) That the required amount of \$50 000 be provided from the Reserve for Capital Projects, account 0280-27, and that the available Contingency included in the 1986-1990 Capital Budget be reduced by a like amount.

11. That leave be granted to introduce the following Bill:

Bill A-9 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN WM. M. MCCULLOCH,
ACTING CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1986 April 24
/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TENTH Report for 1986 and respectfully recommends:

1. That the Purchase Order No. 19899, in the amount of \$99 202, approved by Council 1985 October 29, be increased in the amount of \$799.67 for extra work to the Contract (for the Ferguson Avenue Yard Building, District 2), as follows:

(a) To supply and install lock to women's washroom	\$ 69.52
(b) To provide new vestibule, including a hollow metal screen and quarry tile floor	\$730.15
TOTAL	\$799.67

Sufficient funds are available in the Project Account No. 0408-V52595

2. (a) That approval be given to proceed with the construction/implementation of the following four Capital projects:
 - i. Replacement of James Street steps at an estimated cost of \$300 000
 - ii. Construction of Salt Dome - Chedoke Maintenance Depot at an estimated cost of \$131 000
 - iii. Centralize Computer Fuel System at an estimated cost of \$300 000
 - iv. Watercourse Drop Structure - West of 350 Quigley Road at an estimated cost of \$70 000
- (b) That the Regional Engineer be directed to prepare the necessary plans, specifications and tenders for (i) Replacement of James Street steps, and (iv) Watercourse Drop Structure, and that the Public Works Department in conjunction with the City Architect's Department (where necessary) prepare the necessary plans, specifications and tenders for the (ii) Construction of Salt Dome - Chedoke Maintenance Depot and (iii) Centralized Computer Fuel System.
- (c) That the Executive Committee be requested to recommend the method of financing.

3. (a) That purchase orders be issued to the following firms for the supply and delivery of multi-conductor cable in accordance with specifications issued by the Director of Purchasing and Vendor's tenders, as follows:

- (i) Shawflex Inc., Rexdale, in the amount of \$13 086.01, all taxes included
- (ii) Nedco, Hamilton, in the amount of \$31 481.41, all taxes included

NOTE: (i) Lowest of seven tenders received.
Funds provided in Account # 0394-3323.
(ii) Lowest of six tenders received.
Funds provided in account #0394-3323.

- (b) That purchase orders be issued for the supply and delivery of traffic poles and hardware and traffic signal arms required by the Traffic Department during 1986, in accordance with specifications issued by the Director of Purchasing and Vendor's tenders, as follows:

- (i) Westinghouse/Wesco, Hamilton \$31 454.57
- (ii) Nedco, Hamilton \$16 617.68

All taxes included.

NOTE: Lowest of seven tenders received. Funds provided in account 0394-3323.

- (c) That a purchase order be issued to Utility Installation Ltd., Fort Erie, for the supply and installation of steel poles and luminaires at the Wentworth Street steps in accordance with specifications issued by the Director of Purchasing and Vendor's tender, for the total sum of \$29 312, all taxes included.

NOTE: Lowest of five acceptable tenders. Funds provided in account 0408-V52575.

- (d) That an order be placed with Mechanical Advertising Inc., Oshawa for the supply and delivery of sign blanks, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, for an approximate value of \$32 335 F.S.T. and P.S.T. exempt.

NOTE: The only supplier to tender. Funds available in account 0394-3325.

- (e) That an order be placed with 3M Canada Inc., London, Ontario, for the supply and delivery of reflective sheeting for 1986 in accordance with specifications issued by the Director of Purchasing and Vendor's tender, in the amount of \$42 514.14.

NOTE: Lower of two acceptable tenders received. Sufficient funds available in account 0394-3325.

4. (a) That the Corporation of the City of Hamilton enter into a monthly lease agreement executed by Bruce Malcolm Cranfield and Michelle Homann on March 13, 1986 for a portion of the lands known as 80 Arkledun Avenue for private parking purposes only.
- (b) That the Mayor and City Clerk be authorized to execute the lease agreement.

NOTE: The land to be leased has a frontage on Arkledun Avenue of 60 feet (more or less) by an irregular depth and contains an area of 600 square feet (more or less).

The rental is to be \$10 per month plus annual taxes of \$61 retroactive to October 1, 1985 and credited to account 0306-0513.

5. That an Option to Purchase the property known as municipal number 30 Lake Avenue North, executed by the owners, 567041 Ontario Inc., on March 10, 1986, and scheduled for closing on or before June 2, 1986, be approved and completed.

NOTE: The subject property has a frontage on Lake Avenue of 20.59m (67 feet, more or less) by a depth of approximately 70m (230 feet, more or less) and contains an area of 1431.9m² (15 407 square feet, more or less) inclusive of a residential structure thereon.

The purchase price is \$56 975 the cost of which is to be charged to account 0280-12.

Consideration in the amount of \$1 has been paid to the owners and pursuant to the agreement, forms part of the purchase price. It is acknowledged by the Vendor that the roadway resulting from this acquisition shall be restricted by a one foot reserve on both sides for future recovery by the municipality of both acquisition and servicing costs.

It is acknowledged by the City that the said one foot reserve will not preclude vehicular access over the road allowance, to and from the adjacent lands, pending development of same.

6. That the closing date for the sale of 3.012 acres of land to the Hamilton Baptist Non-Profit Homes Corporation known as the Hill Street Public Works Yard be extended from March 17, 1986 until September 18, 1986.

7. (a) That the firm of Concord Scientific Corporation, 2 Tippet Road, Toronto, Ontario, be retained, at a cost of \$15 680, to prepare a further study of the Hill Street Yard site to determine whether methane gas is still being produced and at what rate in order to allow the construction of residential townhouses.
- (b) That the \$15 680 cost be charged to account 0280-02.
8. (a) That an agreement between The Corporation of the City of Hamilton and the Ontario Housing Corporation concerning the access roadway to Limeridge Mall, now known as Mall Road registered on January 4, 1980 as Instrument No. 92342 L.T., be terminated.
- (b) That the lands known as Part 3, Plan 62R-6472 measuring 46.3m² (498.39 square feet, more or less) which are now surplus to the City's needs, be returned to the Ontario Land Corporation (formerly known as the Ontario Housing Corporation) along with the sum of \$8 716 which is the outstanding proceeds due O.L.C. from the sale of lands along the westerly reserve by the City to the Ukrainian Catholic Episcopal Corporation of Eastern Canada.
- (c) That the Mayor and City Clerk be authorized to execute the Agreement satisfactory to the City Solicitor.
9. (a) That the amount of \$9 779.64 be paid to Messrs. Wright & McTaggart, Barristers and Solicitors, respecting City of Hamilton vs. T.H. & B. Railway and Canadian Pacific Railway; and
- (b) That this amount be charged to Account No. 0325-0156 - Consultants.
10. (a) That the Minutes of Settlement relative to the matter of the City of Hamilton vs the T. H. & B./CP, as approved by City Council on 1985 June 25, in the amount of \$1 834 549.46, be confirmed; and
- (b) That said Minutes of Settlement be delivered to the T.H. & B./CP; and
- (c) That the City's legal counsel in this matter, Mr. Robert Peck, be instructed to prepare the necessary repealing legislation and deal with the T.H. & B./CP in presenting said repealing legislation to the Provincial and Federal Governments.
- (d) That the Mayor and City Clerk be authorized to execute the Minutes of Settlement.

NOTE: The Transport and Environment Committee heard from the City's Legal Counsel, Mr. Robert Peck, and satisfied itself relative to the question of the bridges, in particular, the fact that the C.T.C. is the ultimate authority to deal with the question of the cost of construction or repair of the bridges.

11. That the decision of The Ontario Municipal Board, in the matter of the appeals by the City of Hamilton of two decisions of the Court of Revision concerning local improvement charges to be paid by the C.N.R. and the T.H. & B., not be appealed further.

NOTE: The City was successful in collecting \$13 420.43 of the total of \$15 024.41 in local improvement charges under appeal.

12. That in respect of a portion (approximately 600 square metres shown as Part 1 on Expropriation Plan registered as 170971 L.T.) of the vacant land known as 1201 Limeridge Road East which has been expropriated for roadway and municipal purposes, the City Clerk be authorized and directed, pursuant to The Expropriations Act, to sign and serve Offers of Compensation pursuant to Section 25 of The Expropriations Act for the expropriated lands as follows:

		Offer of Compensation
Former Registered Owner	- S. Wise Construction	\$9 300.
Tenant	- Bruce Smith	\$ 2.

13. (a) That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between the Corporation of the City of Hamilton and Sons of Italy (Hamilton) Foundation for the collection of garbage at 317 Limeridge Road West, Hamilton.
- (b) This agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.
14. (a) That eastbound traffic be required to stop at the intersection of Hill Street and Poulette Street; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
15. (a) That the City immediately install a four-way stop at the intersection of Cline and Paisley Avenues; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
16. (a) That the existing parking prohibition on the south side of Crockett Street between East 35th Street and a point 58 feet westerly, be extended, such that the prohibition extend to a point 118 feet west of East 35th Street; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.

17. (a) That parking be prohibited on the south side of Norwood Road in front of the residential properties at Nos. 111, 115 and 117 Norwood Road; and
(b) That the City Traffic By-law 66-100 be amended accordingly.
18. (a) That a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Park Street South between Robinson Street and Duke Street; and
(b) That the City Traffic By-law 66-100 be amended accordingly.
19. (a) That the existing parking prohibition on the east side of Grosvenor Avenue North between Barton Street East and a point 120 feet southerly, be extended, such that the regulation commences at Barton Street East and extends to a point 171 feet southerly therefrom; and
(b) That By-law 66-100 be amended accordingly.
20. That the Director of Traffic Services be authorized to issue one time limit exemption permit to each of the first seven applicants residing in the apartment building at No. 121 Charles Street.
21. (a) That the Director of Traffic Services and the Manager of Operations be appointed as members of the Ontario Traffic Conference; and
(b) That the Chairman of the Transport and Environment Committee and his designate, be appointed as members of the Ontario Traffic Conference; and
(c) That the Chairman or his designate be authorized to attend the Ontario Traffic Conference annual general conference in Ottawa, Ontario, on 1986 May 04 to 07.

NOTE: The Ontario Traffic Conference is "an Association for the improvement of traffic conditions and traffic safety in the municipalities of Ontario". The membership fees are paid annually by the Regional Municipality of Hamilton-Wentworth, and each individual municipality within the Region is entitled to designate two elected officials, two members of a Police force and two staff members, who have voting privileges at the annual general conference.

22. That the Director of Traffic Services be directed to advise the school principal of any future actions regarding the removal of intersection stop signs in the immediate vicinity of a school.

23. (a) That the City approve the 1986 Street Lighting Capital Program as proposed by Hamilton Hydro.
- (b) That Hamilton Hydro be instructed to proceed with the system modifications.

NOTE: Upon request the Secretary of the Finance Committee will provide copies of the 1986 Street Lighting Construction List.

24. That the application of Wesley Urban Ministries Inc., to temporarily close Napier Street, from Pearl Street to Locke Street, in order to have a street dance on Saturday, April 26, 1986, between the hours of 7:00 p.m. and 11:00 p.m. be approved, subject to the following conditions:
- (a) Barricading, signing and traffic control are subject to the supervision and direction of the Regional Police Department, and at the expense of the organizing group.
- (b) Clean-up of the street will be carried out immediately following the event, at the expense of the organizing group.
- (c) The organizing group shall provide public liability insurance in the amount of \$1 000 000 naming the City as an added insured party, with a provision for cross liability and shall hold the City of Hamilton harmless from all actions, causes of action, interest claims, demands, costs, damages, expenses and loss.
- (d) No resident within the barricaded area will be denied access to his residence, upon request.
25. That the City Solicitor be directed to proceed with the necessary steps to prepare a By-law to establish Block 38, Plan 62M-425 (0.03m Reserve) as part of Sirente Drive.
26. (a) That the engineering schedules for the estimated cost of services in "Gurnett Estates - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the City's share for the cost of services for this development (\$64 768) be charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Catch basins and connections	\$ 3 325.
Sidewalks and curbs	13 440.
Final roads	44 227.
Dead end barricades	403.
Street Lighting	<u>3 373.</u>
TOTAL	\$64 768.

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and
 - (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-serving.
27. (a) That the engineering schedules for the estimated cost of services in "Roma Gardens - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the City's share for the cost of services for this development (\$25 088) be charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Final Roads	<u>\$25 088.</u>
TOTAL	\$25 088.

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-serving; and
- (e) That the City Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council policy.

28. (a) That the submitted schedules for the estimated cost of services in "Gilkson Meadows - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and
- (c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he entered into a Standard Agreement for Pre-serving.
29. (a) Item 25 of the Transport and Environment Committee Report 18-85 as adopted by City Council on October 29, 1985 be revised to show the Subdivider's share reduced to \$113 023.12 as a result of the deletion of sidewalks on one side of Millpond Place.
- (b) That the revised engineering schedules for the estimated cost of services in "Rexford Gardens - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement.
- (c) That the City's share of (\$57 826), as approved, remain unchanged.
- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered.
- (e) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-serving.
30. (a) That the Commissioner of Engineering be authorized and directed to complete the design of city services on Fieldway Drive from Upper Wentworth Street to Crestwood School (approximately 85 metres westerly).
- (b) That the City's share for the cost of services on Fieldway Drive (\$43 000) be charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12; and
- (c) That the construction of city services not commence until either Abbotsford Homes Limited is ready to proceed with development of their commercial site along the southerly boundary of Fieldway Drive, or the residential lands to the north are to be developed.

- (d) That the Mayor and City Clerk be authorized and directed to execute any modified subdivision agreement required to recover service costs from Abbotsford Homes Limited.
31. (a) That the construction of a concrete alley in the block bounded by Beechwood Avenue, Barnesdale Avenue, Rosemont Avenue and Sherman Avenue as a local improvement on petition pursuant to Section 11 of The Local Improvement Act be approved.
- (b) The City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act.
- (c) The Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received.
- (d) The Executive Committee determine the method of financing.
32. (a) That the construction of a concrete alley first south of Aberdeen Avenue running from Chedoke Avenue to Flatt Avenue as a local improvement on petition pursuant to Section 11 of The Local Improvement Act, be approved.
- (b) That the City Solicitor be directed to make application for approval under section 64 of The Ontario Municipal Board Act.
- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received.
- (d) That the Executive Committee determine the method of financing.

33. That the "Federation of Canadian Municipalities Committee", be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 May 26 to June 9, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content:

"WELCOME	FCM'86	BIENVENUE
Federation of Canadian Municipalities	La Federation Canadienne des	Municipalities"

34. That the "Young Drivers of Canada", be permitted to display a banner across Main Street West, in front of City Hall, from 1986 May 5 to May 12, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content: "Young Drivers Championships"

35. That the "Life Underwriters Association of Canada", be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 April 28 to May 5, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
36. That the application of Mr. K. Kyle, on behalf of the owner(s) of 37 Morley Street, Mr. Louis Farro and Mr. Ennio Ros, for the following encroachments on the road allowance of Morley Street consisting of:
- (a) proposed fascia sign, 0.06m (0.2") by 0.91m (3.0') high by 6.10m (20.0') long, and a minimum of 2.43m (8.0') above the road grade.
 - (b) inadvertent brick building, 0.46m (1.52') by 10.36m (34.0')
- be approved, during the pleasure of City Council, provided:
- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
37. That the application of Mr. George Klimek, the owner(s) of 43 Gertrude Street to permit the encroachment on the road allowance of a wheel chair ramp, consisting of (railway ties, paving stones and wood ramp with railings), 3.05m (10.0') by 2.38m (7.8') by 0.76m (2.5') high, be approved, during the pleasure of City Council, provided:
- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$11 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
38. That the application of Mr. J. C. Knox, on behalf of the owner(s) of 1 Hughson Street North, Corham Developments Limited, to permit the following encroachment on the alleyway, between Hughson Street and James Street, from King William Street to the east-west alleyway, consisting of a below grade concrete transformer vault, 2.07m (6.80') by 4.15m (13.62') by 3.5m (11.48') deep, be approved, during the pleasure of City Council, provided:

- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That there be no fee required for this encroachment since it is a minor addition to an existing encroachment.
39. (a) That the request by Charles and Doris Bishop, owners of the property to discharge the encroachment agreement for 20 Hess Street North, Instrument No. 67071 C.D., be approved, subject to the satisfaction of the City Solicitor.
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.
40. That the application of Mr. E. B. Fedak on behalf of the owner(s) of 181 Beach Road, Marko and Janja Kelava, to retain the following inadvertent encroachment on the road allowance of Lyndhurst Street consisting of a stoop and steps, 0.97m (3.19') by 3.16m (10.37') be approved, during the pleasure of Council, provided :
- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
41. That the application of Mr. M. N. Rubenstein, on behalf of the owner(s) of 273 Catharine Street North, Mr. Peter Spitman, to retain the following inadvertent encroachment on the road allowance of consisting of a porch 1.83m (6.0') by 1.52m (5.0') be approved, during the pleasure of Council, provided :
- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
42. That the application of Mr. M. Milhailovich, on behalf of the owner(s) of 19 Chestnut Avenue, U. N. H. Incorporated, to retain the following inadvertent encroachment on the road allowance consisting of a concrete

step, 0.09m (0.28') by 1.83m (6.0') be approved, during the pleasure of Council, provided:

- i. That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
43. (a) That the Commissioner of Engineering be authorized and directed to install the necessary catch basins and connections on Kennedy Avenue from Upper James to the west end and on Malton Drive from Upper James Street to Christie Street in conjunction with the Region's sewer project.
- (b) That the Executive Committee determine the method of financing the total cost of this work which is estimated at \$26 000 (Kennedy Avenue - \$16 000; Malton Drive - \$10 000).
44. That the Chairman, or his designate, be authorized to attend the 1986 APCA Conference in Minneapolis, Minnesota, from 1986 June 22 to 27.
45. That leave be granted to introduce the following bills:
- (a) Bill B-27 - By-law to extend West Park Avenue, by incorporating therein Part 9, Plan 62R-7497.
 - (b) Bill B-28 - By-law to incorporate Part 1, Plan 62R-5958 into the road allowance of Limeridge Road East.
 - (c) Bill B-29 - By-law to incorporate Part 1, Plan 62R-4703 and a portion of Block "GX", Plan M-135 into Rochelle Avenue.
 - (d) Bill B-30 - By-law to incorporate into the road allowance of Rexford Drive, Part 1, Plan 62R-7846, Part 2, Plan 62R-4029 and Block 57, Plan 62M-384.

- (e) Bill B-31 - By-law to extend Landron Avenue, by incorporating therein Part 1, Plan 62R-7402 and Part 12, Plan 62R-6447.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary
1986 April 21

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWELFTH Report for 1986 and respectfully recommends:

1. That in keeping with the intent of Council to assist in the promotion of the Tiger Cat Football Club, permission be granted to host a Tiger Cat Golf Tournament at the King's Forest Golf Course, on Thursday, 1986 May 15 commencing at 11:00 a.m.
2. That an Offer to Purchase the property north of 110 Ainslie Avenue, executed by William Newman and Sharon Kulpaka-Newman on 1986 March 24, and scheduled for closing on 1986 June 27 be approved and completed.

NOTE: It is understood and agreed that this parcel is subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth for watermains, as defined under Instrument 127970 CD.

The subject property has a frontage of 3.658m (12 feet) being irregular in shape, containing 80.3m² (864.3 square feet). The proceeds of this sale in the amount of \$4,000. are to be credited to account 0280-11. A deposit cheque in the amount of \$400. is being held by the City Treasurer, pending Council approval of this transaction.

3. Approval of the purchase of .218 acres, Block 13, Rexford Survey, Plan of Subdivision from 465624 Ontario Limited in the amount of \$11,990 for park purposes. The said parcel of land has a frontage along the north limit of Rexford Drive of 46.424m (152 feet more or less), by a depth of 30.504m (100 feet more or less).

NOTE: The total area of the lands proposed for the subdivision is 10,582.164m² (2.61 acres) and 5% of this total area would be 529.108m² (.131 acres). The developer has been requested to dedicate to the City, Block 13 for parks purposes. Block 13 has an area of 1,411.801m² leaving a credit to the developer of 882.693m² or .218 acres.

4. Approval of the purchase of .343 acres, Block 33, Rexford Gardens, Phase II, Plan of Subdivision from Abbotsford Homes Limited in the amount of \$18,865 for park purposes. The said parcel of land has a frontage along the north limit of Rexford Drive of 78.358m (257 feet more or less) by a depth of 30.504m (100 feet more or less).

NOTE: The total area of the lands proposed for the subdivision is 20,033.29m² (4.94 acres) and 5% of this total area would be 1,000.16m² (.247 acres). The developer has been requested to dedicate to the City, Block 33 for parks purposes. Block 33 has an area of 2,390.03m² leaving a credit to the developer of 1,389.87m² or .343 acres.

5. That approval be given to the Central Canada Broadcaster's Association to host a barbeque dinner at Dundurn Castle on 1986 June 24 for approximately 150 people subject to the following conditions:
 - (a) That the barbecue be located away from the Castle at a safe distance so as to preclude any fire hazards to persons or property.
 - (b) That the barbecue be tended by suitable individuals qualified to operate a barbecue of this size for the reasons mentioned in (a).
 - (c) That appropriate licenses for liquor and park usage be obtained.
 - (d) That appropriate alternate arrangements are planned in the event of rain.
 - (e) That appropriate fire and safety precautions are taken.
6. (a) That approval be given to proceed with the following Capital Projects contained within the 1986 portion of the 1986-1990 Capital Programme.
 - (i) Chedoke Golf Course Storage and Workshop at an estimated cost of \$86,000.
 - (ii) Track Facility - Mohawk Sports Park at an estimated cost of \$300,000.
 - (iii) Floodlighting Fields - Mohawk Sports Park at an estimated cost of \$120,000.

(b) That the City Architect be directed to prepare the necessary plans, specifications, and tenders for

(i) Chedoke Golf Course Storage and Workshop, and

(ii) Track Facility- Mohawk Sports Park

and that the Regional Electrical Engineer in conjunction with the Parks Division, prepare the necessary plans, specifications and tenders for Floodlighting Fields - Mohawk Sports Park.

(c) That the Executive Committee be requested to recommend the amount and source of funds to be provided for this Capital Project.

7. (a) That permission be given to "Hamilton Marathon" to operate a Hospitality Beer Tent in Eastwood Park on 1986 June 8, in conjunction with their race day headquarters provided that the organizers obtain the necessary licence and approvals from the L.L.B.O.

(b) That the tent be located on the east side of the park, in a specific location agreeable to the Parks Department.

(c) That the organizers assume responsibility for any "actual" labour charges incurred over and above those normally undertaken by the Parks Division.

NOTE: It is anticipated that the Hospitality Tent will be open between the hours of 11:00 a.m. and 2:00 p.m. The race will start (8:00 a.m.) and finish at Eastwood Park adjacent to the Amstel Brewery, the major sponsor for the race.

8. That in accordance with the lease agreement between the Corporation of the City of Hamilton and the Corporation of the City of Burlington, dated 1985 June 10, requiring that the City of Burlington shall not make any alterations to existing improvements to LaSalle Park without the prior approval of the City of Hamilton, it is recommended that the City of Burlington be authorized to carry out the following improvements:

Wading Pool - replacement of existing chlorination system and filtration system piping and filter tank at an estimated cost of \$6,940.

NOTE: The above improvements will be carried out at Burlington's own expense in accordance with the above lease agreement.

9. (a) That approval be given to proceed with the following Capital Project contained within the 1986 portion of the 1986-1990 Capital Budget Programme:

Bike Paths (Phase 1 of 8) at an estimated cost of \$330,000.

(b) That the Executive Committee be requested to recommend the amount and source of funds to be provided for this Capital Project.

10. That a purchase order be issued to Chaudhry Nursery, Smithville, for grass cutting and trimming at various cemeteries for the years 1986, 1987 and 1988 in accordance with specifications issued by the Director of Purchasing and Vendor's tender as follows:

<u>1986</u>	<u>1987</u>	<u>1988</u>
\$27,680	\$29,064	\$30,368

plus additional charges for extra rakings and cuttings required at the various cemeteries as specified in the tender documents.

NOTE: Lowest of three complete tenders received. Funds provided in accounts 0356-1319, 30357-1319 and 0358-1319.

11. That a purchase order be issued to Bobby Lawn Spray, Hamilton, for grass spraying at various cemeteries for the years 1986, 1987 and 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

<u>1986</u>	<u>1987</u>	<u>1988</u>
\$17,937.96	\$17,937.96	\$17,936.96

NOTE: Only acceptable of two tenders received. Funds provided in accounts 0354/5/6/7/8-0719.

12. That a purchase order be issued for equipment Rental for the Public Works Department for the years 1986, 1987 and 1988 as required, in accordance with specifications issued by the Director of Purchasing and Vendor's tenders, as follows:

		<u>RATES PER HOUR</u>		
<u>G. F. MASON, FRUITLAND</u>		<u>1986</u>	<u>1987</u>	<u>1988</u>
Caterpillar D-7	1)	\$60	\$63	\$66
John Deere #450	2)	40	42.50	45
Caterpillar 977	2)	60	63	66
Terex Loader with 4 cu. yd. bucket	3)	60	63	66
Terex Loader with 5 cu. yd. bucket	3)	68	71.50	75
Dump Truck 8 cu. yd.	4)	27	29	31
16 cu. yd.	5)	34	36.50	39
40 cu. yd.	3)	60	63	66
Grader-Huber	3)	40	42.50	45
Backhoe John Deere 310	6)	40	42.50	45
Float Tractor	7)	50	53	56
Excavator 690 John Deere	3)	65	68.50	72

- NOTE: 1) Lowest of 2 tenders received.
 2) Lowest of 4 tenders received.
 3) Only price received.
 4) Second lowest of 6 tenders received.
 5) Lowest of 9 tenders received.
 6) Lowest of 3 tenders received.
 7) Lowest of 7 tenders received.

E. WOYTKIW HAULAGE LTD., HAMILTON

Truck 16 cu. yd. - \$34

NOTE: Lowest of 9 tenders received.

GUNTER KASSNER, HAMILTON

Truck 8 cu. yd. - \$25

NOTE: Lowest of 6 tenders received.

Backhoe - \$28

NOTE: Lowest of 3 tenders received.

VERNON SIMS EXCAVATING, HAMILTON

Scrapers S-18	1)	\$60	68	72
TS-14	2)	70	75	78
TS-24	2)	80	85	88

NOTE: 1) Only tender received.
2) Lower of 2 tenders received.

STUART FLETCHER EXCAVATING, HAMILTON

Backhoe \$37.50 Plus 5% Plus 5%

NOTE: Second lowest of 8 tenders received.

C.R.L. CAMPBELL BROS., WAINFLEET

Backhoe 580C \$34.90 Rate to be negotiated.

NOTE: Lowest of 8 tenders received.

CARDI CONSTRUCTION LTD., STONEY CREEK

Backhoe 580C \$40 42 44

NOTE: Third lowest of 8 tenders received.

13. That a purchase order be awarded to McCracken Golf Supplies Inc., Rexdale for the supply and delivery of fertilizers for various golf courses and parks within the City of Hamilton, for a total of \$43,132.35 including delivery charges, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of three acceptable tenders. Funds provided in account 0393-3323.

14. That a formal invitation be extended to the Ontario Municipal Recreation Association to host their 1987 Conference in Hamilton, in May of 1987.
15. (a) That the following projects be proceeded with:
- | | | |
|-------|--|--------------|
| (i) | Traditional play structure - Fessenden Neighbourhood | - \$ 5,000. |
| (ii) | Traditional play structure - Shawinigan Park | - \$ 5,000. |
| (iii) | Park Development Projects - Various Parks | - \$195,910. |
| (iv) | Additional Washroom Facility - Gage Park | - \$ 32,000. |
| (v) | Parkette - Mountain Brow Boulevard | - \$ 23,000. |
- (b) That the total amount of \$260,910. be financed from the 5% Parks Dedication Reserve (Acquisition of Land Under the Planning Act Account No. 0280-11).

NOTE: At the 1986 February 20 Budget Review meeting, the Parks and Recreation Committee approved the funding of the above mentioned projects through the 5% Parks Dedication Reserve, rather than the 1986 departmental budget.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale, Secretary
Parks and Recreation Committee
1986 April 22

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its NINTH Report for 1986 and respectfully recommends:

1. (a) That approval be given to Zoning Application 86-13, Tenneco Canada Inc., owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District, to "H" (Community Shopping and Commercial, etc.) District to establish uniform commercial zoning and permit expansion of the existing building, for the rear portion of the property located at No. 824 Fennell Avenue East, as shown on the attached map marked as APPENDIX "A" on the following basis:
 - (i) That the lands shown as Block "1" on Appendix "A" be re-zoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District.
 - (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map No. E-36.
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That By-law No. 79-275 be amended to place the subject property under Site Plan Control.

EXPLANATORY NOTE:

The purpose of the By-law is to provide a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District for the rear portion of the property located at No. 824 Fennell Avenue East, shown on Block "1" on the attached map marked as Appendix "A".

The effect of the By-law is to provide uniform commercial zoning on the subject property and permit an addition to the existing Speedy Muffler King Shop.

The subject property has also been made subject to Site Plan Control.

2. That approval be given to Zoning Application 86-14, Novoco Enterprises Limited and Manuel Pestana-Roca and Lucy Pestana-Roca, owners, requesting a change in zoning from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District for property located on the west side of Upper Paradise Road in the area north of Megna Court, as shown on the attached map marked as APPENDIX "B" on the following basis:
- i) That the lands shown as Block "1" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District;
 - ii) That the lands shown as Block "2" be rezoned from "R-4" (Small Lot Single-Family Detached) District, modified, to "C" (Urban Protected Residential, etc.) District.
 - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C.
 - iv) That the Gurnett Neighbourhood Plan be amended by redesignating the lands shown as Block "2" from "Attached Housing" to a "Single and Double Residential" land use designation;
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located on the west side of Upper Paradise Road in the area north of Megna Court, as shown on the attached plan marked as Appendix "B" on the following basis:

- | | |
|-----------|--|
| Block "1" | Change from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District |
| Block "2" | Change from "R-4" (Small Lot Single-Family Detached) District, modified, to "C" Urban Protected Residential, etc.) District. |

The effect of the By-law is to permit development of the subject lands for single-family dwellings on lots having a minimum width of 12.0 metres (40.0 ft.) and an area of at least 360 m² (3,875 sq. ft.) whereas, under the current zoning it would be possible to permit single-family detached dwellings on lots having a minimum width of 9.0 metres (30.0 ft.) and an area of 278.0 m² (3,000 sq. ft.). In addition, the current zoning provides the option to permit townhouse development on the lands shown as Block "2".

3. (a) That the proposed plan changes for the Gershome Neighbourhood be approved as shown on the attached map marked as Appendix "C".

EXPLANATORY NOTE:

A major owner in the Gershome Neighbourhood has proposed a number of land use changes which would have an impact on the entire neighbourhood.

The proposed plan changes as recommended above are a negotiated solution which meets planning principles and should be acceptable to both the developer and the surrounding residents.

- (b) i) That Item 6 of the Sixth Report of the Planning and Development Committee dealing with Zoning Application 85-110 which was tabled by City Council at its meeting held 1986 March 11 pending review of the Gershome Neighbourhood Plan be lifted from the table for consideration.
- ii) That Item 6 of the Sixth Report of the Planning and Development Committee, which reads as follows, be adopted:

That Zoning Application 85-110, 596361 Ontario Limited, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, to permit the construction of a self-serve gasoline bar, car wash and commercial building, for the lands known municipally as Nos. 2804, 2808 and 2810 King Street East, be denied for the following reason:

"The proposed development is inappropriate for the Area."

4. (a) That approval be given to Application SA-84-10, W. J. Nash, owner, to establish a draft plan of subdivision on the south side of King Street East, west of Greenhill Avenue, subject to the following conditions:
1. That this approval apply to the plan prepared by May, Pirie and Associates Limited, dated 01 20 86, revised to show street widening abutting King Street East and to change block letters "A" and "B" to block numbers 36 and 37 respectively.
 2. That the owner acquire sufficient land to establish Street "A" in full and to provide for its connection to Greenhill Avenue.
 3. That the road allowances and widening for King Street East (Block 38) be dedicated as public highway on the final plan.

4. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 5. That the proposed subdivision conform with the zoning by-law approved under The Planning Act.
 6. That the owner convey Block "37" to the City of Hamilton for park purposes pursuant to the provisions of The Planning Act.
 7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 9. That any dead-ends or open sides, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-84-10), W. J. Nash, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
5. (a) That approval be given to Application SA-85-21, W. J. Nash, owner, to establish a draft plan of subdivision in the area south of King Street East, west of the proposed extension of Greenhill Avenue, subject to the following conditions:
1. That this approval apply to the plan prepared by May, Pirie and Associates Limited, dated 11 15 85, revised to change block letters "A", "B", "C", "D", "E" and "F" to block numbers 76, 77, 78, 79, 80 and 81 respectively.
 2. That the owner acquire sufficient land to establish Street "A: in full and to provide for its connection to Greenhill Avenue, to establish Greenhill Avenue from Pavarotti Court to Street "A" extension and to establish Street "C" in full.

3. That the road allowances be dedicated as public highways on the final plan.
 4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 5. That the proposed subdivision conform with the zoning by-law approved under The Planning Act.
 6. That the owner convey Blocks "76" and "78" to the City of Hamilton for park purposes pursuant to the provisions of The Planning Act.
 7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 9. That any dead-ends or open sides, of the road allowances created by the Plan be terminated in 0.3 reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 10. That blocks 79, 80 and 81 be developed only in conjunction with adjacent lands.
 11. That the owner satisfy the requirements of the Hamilton Region Conservation Authority in regard to surveying and plotting the top of bank on Lots 25, 26, 29 to 54 inclusive and block "81" on the final plan, said line to be used as the division line between residential and open space zoning districts.
 12. That the final plan only be approved after the one way exit has been established by registration of the respective lands of Subdivision Application SA-85-22.
 13. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-21), W. J. Nash, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

6. (a) That approval be given to Application SA-85-22, W. J. Nash, owner, to establish a draft plan of subdivision in the area east of the proposed extension of Greenhill Avenue, south of King Street East, subject to the following conditions:
1. That this approval apply to the plan prepared by May, Pirie and Associates Limited, dated 01 20 86, revised to change block letters "A", "B" and "C" to block numbers 181, 182 and 183 respectively.
 2. That the owner acquire sufficient land to establish Street "A" in full, and to establish Greenhill Avenue from Pavarotti Court to the T. H. & B. Railway.
 3. That the road allowances including the one way exit ramp be dedicated as public highways on the final plan.
 4. That the exit ramp from Highway No. 20 be constructed in conjunction with the first phase of development south of Pavarotti Court.
 5. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 6. That the proposed subdivision conform with the zoning by-law approved under The Planning Act.
 7. That the owner convey Block "181" to the City of Hamilton for park purposes pursuant to the provisions of The Planning Act.
 8. That such easements as may be required to utility or drainage purposes be granted to the appropriate authority.
 9. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 10. That any dead-ends or open sides, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 11. That Blocks "182" and "183" be developed only in conjunction with adjacent lands.
 12. That the owner agree in writing to satisfy all the requirements financial and otherwise, of the City of Hamilton.
 13. That the proposed plan be further revised in the area of street "A" south of the Hydro Transformer Station to allow for the retention of an existing dwelling owned by M. Jaffray.

- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-22), W. J. Nash, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
 - (c) That the City Clerk be authorized and directed to advise the City of Stoney Creek that the City of Hamilton has reviewed the concerns of the City of Stoney Creek regarding the "slip-off access" from Highway No. 20 and believe the access is necessary and beneficial to the Gersholme Neighbourhood. The access can be properly designed within the safety and design requirements of the Ministry of Transportation and Communications and will eliminate present left-hand turns into and out of Websters Road.
7. (1) That approval be given to Official Plan Amendment No. 38 to redesignate lands located on the south side of King Street East in the area west of Greenhill Avenue, shown as Block 8 on the attached plan marked as APPENDIX "D" from "Residential" to "Commercial" land use designation, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs.
- (2) That approval be given to Zoning Application 84-75, William Nash, owner, requesting a change in zoning for lands in the area south of King Street East and west of Greenhill Avenue as shown on the attached map marked as APPENDIX "D", on the following basis:
- (a) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
 - (b) That the lands shown as Block "5" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That the lands shown as Block "8" be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District;
 - (d) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to Block "8" be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 13(1) the following additional uses should be permitted:
 - (a) A Medical Clinic
 - (b) A Dental Clinic
- (ii) That notwithstanding Section 13(1) the following uses are not permitted:
 - (a) A Restaurant or Refreshment Room
 - (b) A Laundry or Dry-Cleaning Establishment
 - (c) A Storage Garage
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-955, and that the subject lands on Zoning District Maps E-106 and E-107 be notated S-955;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-106 and E-107;
- (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 38; and,
- (h) That the Gershome Neighbourhood Plan be amended by re-designating the effected lands from "Low Density Apartments" and "Medium Density Apartments" to "Single and Double Residential" and "Commercial" land use designations.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located in the area south of King Street East and west of Greenhill Avenue, as shown on the attached plan marked as Appendix "D" on the following basis:

- Block "1" - change in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- Block "5" - change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- Block "8" - change in zoning from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District ;

The effect of the By-law is to permit development of the land through a draft plan of subdivision for single-family detached dwellings, Block 5, neighbourhood commercial uses, Block 8 and open spaces uses, Block 1.

In addition, the by-law provides a variance to the "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to Block "8", to permit the following additional uses:

1. a medical clinic;
2. a dental clinic.

However, the following uses are not permitted:

1. A Restaurant or Refreshment Room
2. A Laundry or Dry-Cleaning Establishment
3. A Storage Garage

8. (1) That approval be given to Official Plan Amendment No. 38 to redesignate lands located in the area south of King Street East, and west of the proposed extension of Greenhill Avenue, as shown on the attached plan marked as APPENDIX "D", from "Open Space" to a "Residential" land use designation, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs.
- (2) That approval be given to Zoning Application 86-02, William Nash, owner, requesting a change in zoning for lands in the area south of King Street East, and west of the proposed extension of Greenhill Avenue, as shown on the attached map marked as APPENDIX "D" on the following basis:
 - (a) That the lands shown as Block 2 and 3 be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
 - (b) That the lands shown as Block 6 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-107;
 - (d) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 38.
- (3) That approval of the zoning By-law be withheld until such time that the applicant submits a survey plan showing the "top of bank" as determined by a survey line established in the field to the satisfaction of the Hamilton Region Conservation Authority in order to determine the location of the Zoning District Boundary line.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located in the area south of King Street East and west of the proposed extension of Greenhill Avenue, as shown on the attached plan marked as Appendix "F" on the following basis:

- Blocks 2 & 3 - change from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- Block 6 - change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings, Block 6, and for open space use, Block 2 & 3.

- 9. (1) That approval be given to Official Plan Amendment No. 38 to redesignate certain lands located in the area east of the proposed extension of Greenhill Avenue and south of King Street East, as shown on the attached plan marked as APPENDIX "D", from "Residential" to "Open Space", from "Open Space" to "Residential" and from "Commercial" to "Residential" land use designations, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submissions to the Ministry of Municipal Affairs.
- (2) That approval be given to Zoning Application 86-01, William Nash, owner, requesting a change in zoning for lands in the area east of the proposed extension of Greenhill Avenue and south of King Street East, as shown on the attached map marked as APPENDIX "D" on the following basis:
 - (a) That the lands shown as Block "4" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
 - (b) That the lands shown as Block "7" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-107;
 - (d) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 38; and,

- (e) that the Gersholme Neighbourhood be amended by redesignating the effected lands from "Open Space" to "Single and Double Residential"; from "Single and Double Residential" to "Open Space"; from "Low Density Apartments", "Medium Density Apartments" and "Commercial" to "Single and Double Residential" land use designations.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property in the area east of the proposed extension of Greenhill Avenue and south of King Street East, as shown on the attached plan marked as Appendix "H".

- Block "4" - change in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Parks and Recreation) District;
- Block "7" - change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

The effect of the by-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings, Block 7, and for open spaces uses, Block 4.

10. (a) That approval be given to Application SA-86-01, DiCenzo Construction Company Limited, owner, to establish a draft plan of subdivision west of Upper Ottawa Street and south of Tunbridge Crescent subject to the following:
1. That this approval apply to the plan prepared by A. J. Clarke, dated December 20, 1985 revised to show 24 lots, two blocks for development with adjacent land and three blocks for 0.3 m reserves.
 2. That the road allowances be dedicated as public highway on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 5. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.

7. That the proposed subdivision conform with the Zoning By-law approved under the Planning Act.
 8. That Blocks 25 and 26 be developed only in conjunction with adjacent lands.
 9. That the proposed plan not receive final approval until the construction of sewers via an extension of Templemead Drive south of lots 13 and 14 has been approved by Regional Council.
 10. That the road in front of lots 19 to 24 inclusive be established to the full width with a 0.3 m reserve and the dead-end and the open side of the road allowance be conveyed to the City of Hamilton and be held by the city until required for the development of adjacent lands.
 11. That the dead-end of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
 12. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-01), DiCenzo Construction Company Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
11. That approval be given to an amended Zoning Application 85-107, Benemar construction Inc., and R. Shelley Construction Limited, owners, requesting a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for property located on west side of Upper Wentworth Street, south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "E" on the following basis:
- i) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District.
 - ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-27A and E-27B.
 - iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- vi) That the Crerar Neighbourhood Plan be amended by redesignating the lands shown as Block "3" from "Single and Double" to an "Attached Housing" designation.

EXPLANATORY NOTE:

The purpose of the by-law is to provide for a change in zoning for lands located on the west side of Upper Wentworth Street, south of the proposed Mountain Freeway, as shown on the attached plan marked as Appendix "I" on the following basis:

Block "3" - change from "AA" (Agricultural) District to "RT-10" (Townhouse) District.

The effect of the by-law is to permit townhouse development on Block "3".

12. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the building Department and the Planning and Development Committee:

- (a) 990 Upper Wentworth
- (b) 998 Upper Wentworth
- (c) 922 Upper Wentworth
- (d) 715 Stone Church Road West
- (e) 171 Aberfoyle

13. That the firm of Moorhead Fleming Corban McCarthy, Landscape Architects, be retained for construction supervision of Phase III-B of the Downtown Hamilton Action Plan at a fee not to exceed twenty-three thousand five hundred dollars. (\$23 500.)

EXPLANATORY NOTE:

At its meeting held 1985, August 27, City Council adopted the twenty-fourth Report of the Planning and Development Committee which approved the appointment of Moorhead Fleming Corban McCarthy, Landscape Architects to prepare the design, implementation drawings, specifications, tender forms and, other information necessary for the City of Hamilton to obtain competitive tenders for the Phase III extension of the Downtown Hamilton Action Plan.

Moorhead Fleming Corban McCarthy, in co-operation with the Regional Engineering Department, provided construction supervision services for Phases I and II of the Downtown Hamilton Action Plan. Sufficient funds are available in the Current Budget Estimates to cover this expenditure.

14. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7 500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in the Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

1. N. Novak - 303 Wexford Avenue South
2. H. Shaw - 139 Barons Avenue North
3. Z. Porter - 88 Rosemont Avenue
4. L. Tremblay - 109 Tuxedo Avenue North
5. T. Kotarski - 196 Burris Street

Hamilton Rehabilitation Programme

1. T. Warren - 623 Rennie Street

15. The Corporation of the City of Hamilton accept the sum of \$46 900.90 as cash payment in lieu of 5% dedication in connection with "Kingsberry Gardens - Phase 3", Hamilton.

Note: These lands are located East of Upper Ottawa Street, North of Limeridge Road in the Lisgar Neighbourhood, Hamilton.

16. (a) That an order be placed with Wayne Electric Co. Ltd., Carlisle, for the supply and installation of thirty-six (36) concrete poles re: Banners, for the Downtown Action Plan, for a total of \$19 065., including all taxes and delivery charges.

Note: The lowest tender and only supplier to meet installation date. Funds provided in Account # 0405-A6402.

- (b) That an order be placed with Niagara Engineering Ltd., Hamilton, for the supply, delivery and installation of Banner Arms complete with mounting hardware for the Downtown Action Plan, for a total of \$23 660.15, including all taxes.

Note: The lowest tender received. Funds provided in Account #0405-A6401.

- (c) That an order be placed with All Seasons Display Ltd., Scarborough, for the supply and installation of Banners for Phase IIIB, Downtown Action Plan for a total of \$77 179.79, including all taxes and delivery charges.

Note: The lowest of seven (7) tenders received. Funds provided in account # 0405-A64033.

The above orders have been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

17. That Second Phase Civic Square Limited receive approval in principle, subject to determination of detailed plans and additional ground lease payments, to designate the storage area in the basement of Phase II as available for commercial purposes.

EXPLANATORY NOTE:

There is an extensive amount of area presently available in Second Phase as storage space for retail and office tenants. Although the project has been developed for approximately ten years, only a minor portion of the area designated as storage has in fact been used for such purpose. The proposed conversion to commercial would result in the area designated as net rentable area in the Lease being increased as the same is rented by the Developer, and the rents to be paid to the City will be increased as each space is occupied by a commercial sub-tenant. Specific plans will be submitted to the City for approval as each area is developed.

18. That the Corporation of the City of Hamilton accept the sum of \$32,463.00 as cash payment in lieu of 5% dedication in connection with "Hillside Terrace - Phase 3", Hamilton.

Note: These lands are located west of Upper Paradise Road, between Limeridge Road and Stone Church Road in the Gurnett Neighbourhood, Hamilton.

19. That leave be granted to introduce the following Bills:

- Bill D-44 By-law to Adopt Official Plan Amendment No. 37
Respecting Lands Located on the West side of Anchor
Road, South of Stone Church Road East.
- Bill D-45 By-law to Amend Zoning By-law No. 6593 Respecting Land
Located at Municipal No. 110 Limeridge Road West.
- Bill D-46 By-law to Amend Zoning By-law No. 6593 Respecting Land
Located in the Area North of Limeridge Road East, and
West of Upper Sherman Avenue.
- Bill D-47 By-law to Amend Zoning By-law No. 6593 Respecting Land
Located at the South-West Corner of Stone Church Road
East and Eleanor Avenue.
- Bill D-48 By-law to Amend Zoning By-law No. 6593 Respecting Land
Located at Municipal No. 1003 Stone Church Road East.
- Bill D-49 By-law to Amend Zoning By-law No. 6593 Respecting Land
Located at Municipal No. 87 Locke Street South
(Block "1") and No. 342 Jackson Street West (Block
"2").
- Bill D-50 By-law to Establish a Board of Management for the
Concession Street Business Improvement Area.
- Bill D-51 By-law to Re-Apply Part Lot Control to Part of "MOHAWK
GARDENS - PHASE 2" Registered Plan of Subdivision.
- Bill D-52 By-law to remove Part of "Oakland Park Extension No. 4"
Registered Plan of Subdivision from Part Lot Control.
- Bill D-53 By-law to Amend Zoning By-law No. 6593 Respecting Land
located at Municipal Nos. 432 to 440 Main Street West.
- Bill D-54 By-law to establish Site Plan Control Respecting Land
located at Municipal Nos. 432 to 440 Main Street West.
- Bill D-55 By-law to Authorize the Levy of a Special Charge in
respect of the Westdale Business Improvement Area
generally covering King Street West between the area of
the intersection of Cline Avenue and King Street West
and extending to an area west of Newton Avenue and
Sterling Street.
- Bill D-56 By-law to Authorize the Levy of a Special Charge in
respect of the Jamesville Business Improvement Area
generally comprised of lands on the East and West sides
of James Street North between the railway tracks on the
north and King William Street on the south.

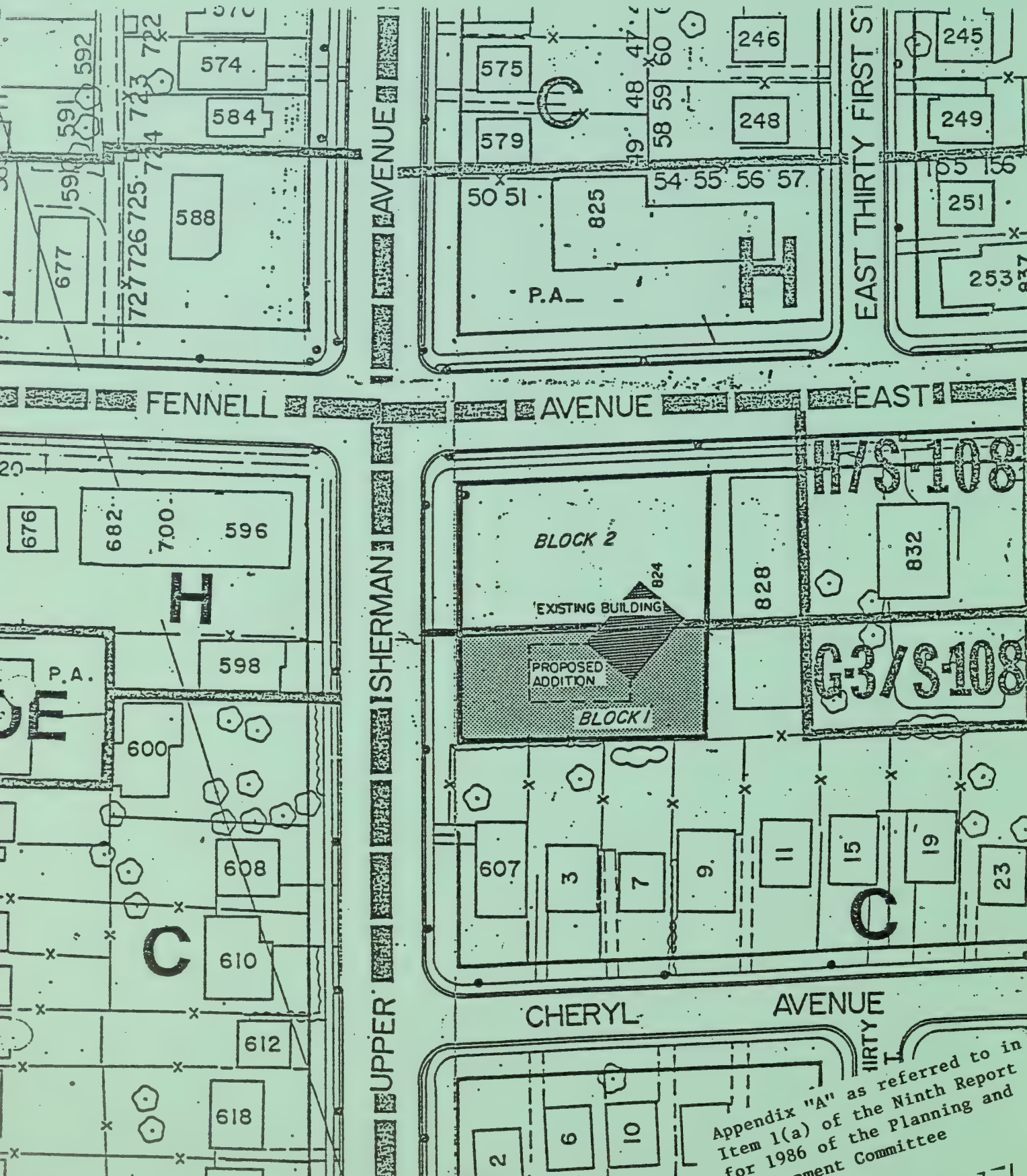
- Bill D-57 By-law to Levy the Special Charge for 1986 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.
- Bill D-58 By-law to Authorize the Levy of a Special Charge in respect of the Concession Street Business Improvement Area generally comprised of lands covering Concession Street between East 18th Street and East 25th Street.
- Bill D-59 By-law to Authorize the Levy of a Special Charge in respect of The Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area north of Barton Street East.

Respectfully submitted

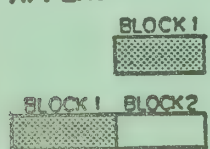
ALDERMAN JOHN SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development committee

JDT:tb



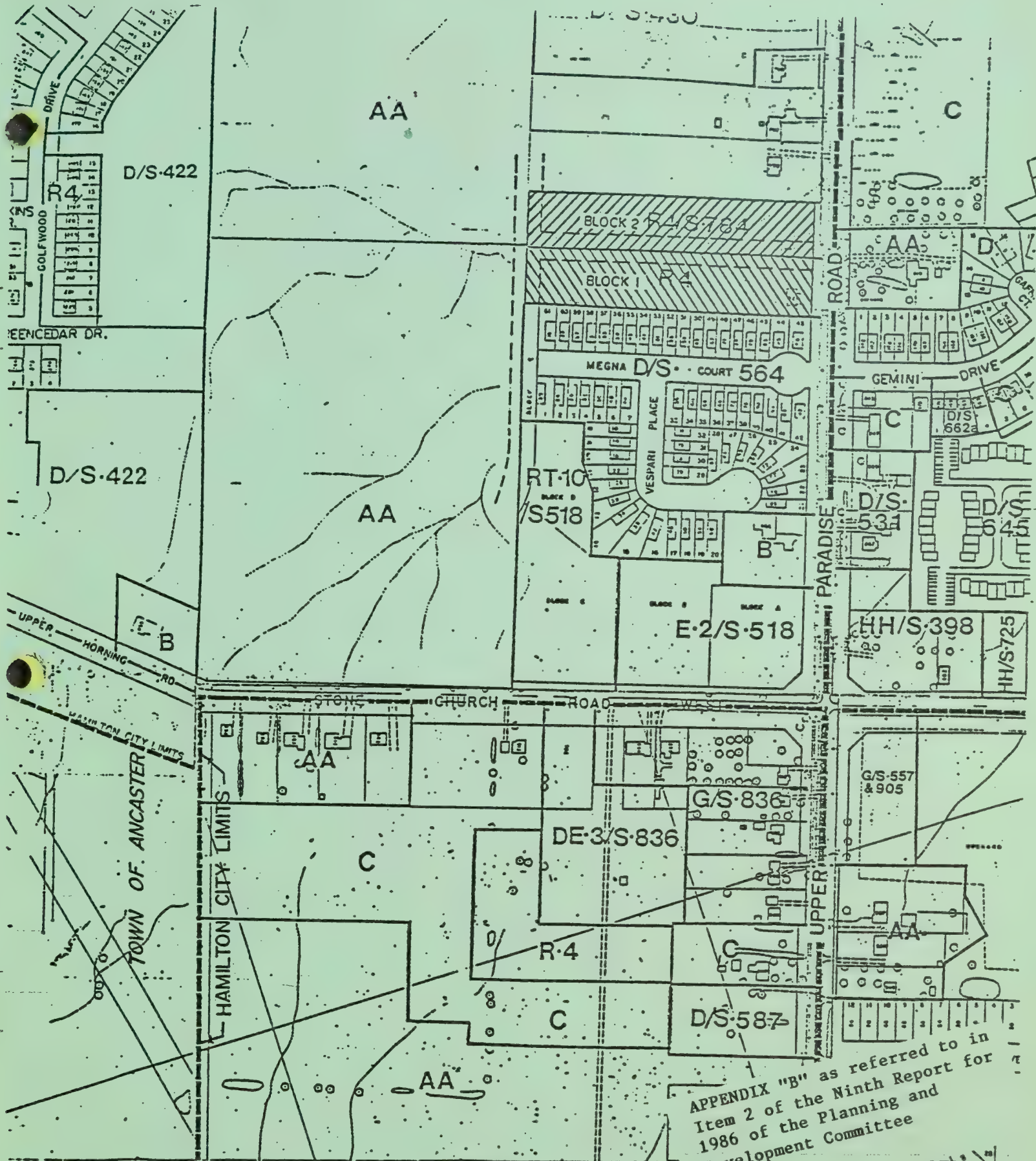
APPENDIX A



Change in Zoning from "C" (Urban Protected Residential) District to "H" (Community Shopping and Commercial, etc.) District

Site of the Application



Appendix "A" as referred to in Item 1(a) of the Ninth Report for 1986 of the Planning and Development Committee

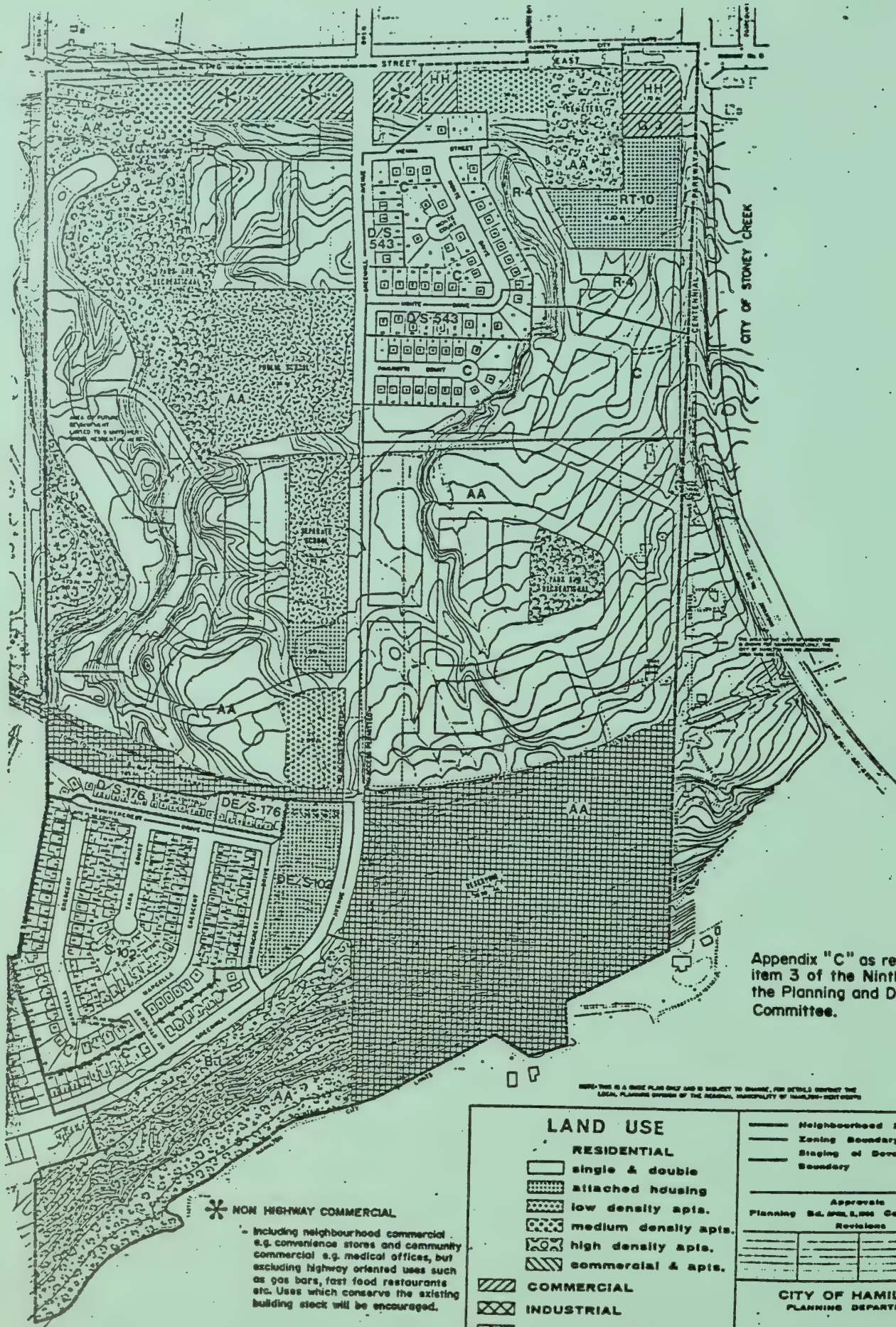


APPENDIX "B" as referred to in
Item 2 of the Ninth Report for
1986 of the Planning and
Development Committee

LEGEND

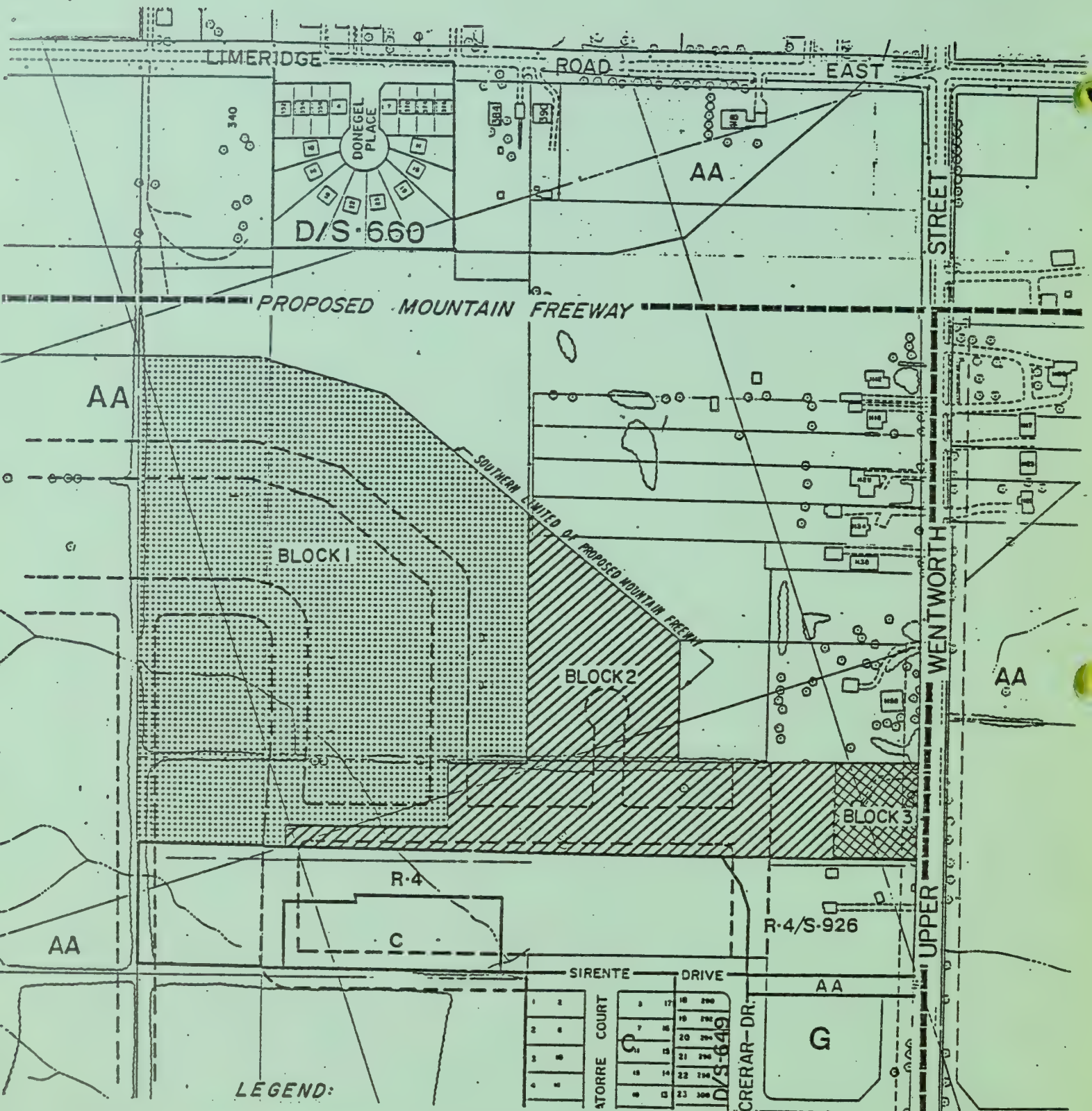
ZA86-14

-  BLOCK 1 Change in Zoning from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District
-  BLOCK 2 Change in Zoning from "R-4" (Small Lot Single-Family Detached) District, Modified to "C" (Urban Protected Residential, etc.) District



Appendix "C" as referred to in item 3 of the Ninth Report of the Planning and Development Committee.

NOTE: THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE. FOR DETAILS CONSULT THE LOCAL PLANNING OFFICE OF THE REGIONAL MUNICIPALITY OF HAMILTON.



CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

"C" (URBAN PROTECTED RESIDENTIAL ETC.) DISTRICT

"R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DETACHED) DISTRICT

"RT-10" (TOWHOUSE) DISTRICT.

Appendix "E" as referred to in Item 12 of the Ninth Report for 1986 of the Planning and Development Committee

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Eighth Report for 1986 and respectfully recommends:

1. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Italian Canadian Recreation Club to hold an open air picnic in their parking lot at 14 Cannon Street West. Since this is an open air picnic, the City requests that the Liquor Licence Board of Ontario give consideration to the waiving of any requirements for a tent.
2. That permission be granted to the Director of Culture and Recreation to use the Forecourt of City Hall for a Senior Citizens choir concert on 1986 June 25, from 1:30 to 3:30 p.m. in conjunction with Senior Citizen's Month.
3. That the City erect a reviewing stand in the front of City Hall on Saturday, 1986 May 31 on the occasion of the Boy Scouts of Canada Parade at an estimated cost of \$500.

NOTE: Sufficient Funds available in Account No. 0321-0760.

4. That the Acting Mayor for each month be Chairman of the Committee of the Whole during each City Council meeting.

NOTE: For the information of the members of City Council, this was the procedure prior to the 1983-85 City Council.

5. That permission be granted to the United Nations Association to display the United Nations flag in the Council Chambers on a permanent basis.
6. That permission be granted to the H.M.C.S "Star" to use the west end of the lower City Hall parking lot on Sunday, 1986 May 4th, as an area to form up a parade in connection with the "Battle of the Atlantic Sunday".

7. That permission be granted to the Canada Employment Centre for Students to place a large thermometer in front of City Hall from 1986 May 12 to August 29 in connection with jobs for students.

NOTE: The purpose of placing the thermometer at such a prominent location is to promote a community spirit towards the assistance of young people in finding employment. This thermometer will be similar to the United Way Thermometer and there will be no cost to the City.

8. That the City of Hamilton purchase a half page ad in the Convention Programme Brochure of the 37th Annual Ontario Group Convention of the Royal Canadian Air Force Association at an estimated cost of \$75.

NOTE: Sufficient funds available in Account #0322 0112 City Clerks-Publicity

9. That permission be granted to the Canadian Polish Congress to:

- (a) Use the Council Chambers on 1986 May 3 at 10:30 a.m. in connection with Polish Week.
- (b) Fly the Polish flag from City Hall from 1986 May 2-5.
- (c) Obtain parking privileges for approximately 50 members of Canadian Polish Congress on the second floor lot (off Hunter Street) on Saturday, 1986 May 3 from approximately 10:00 a.m. -12:00 noon.

10. That permission be granted to the three area MPP's Richard Allen, Brian Charlton and Bob Mackenzie to use the Council Chambers, 2nd Floor Lobby and Rooms 264, 219 and 233 on Saturday, 1986 May 24 from 9:00 a.m. -5:00 p.m. for the purpose of holding working sessions on the "Hamilton Challenge" - Proposals for Community based Economic Relief.

NOTE: It is anticipated that approximately 200 people could be attending this working session. City Hall will have to be opened for this purpose and staff brought in at an estimated cost of \$200. Sufficient Funds are available in Account No. 0321-0760 - Use of City Hall Facilities by Outside groups.

11. (a) That the generous offer by the Geritol Follies of Hamilton to donate the sum of \$25,000. toward the supply and installation of a floral clock in the front area of City Hall be graciously accepted.
- (b) That the Geritol Follies be appropriately recognized for their generous donation.

12. That permission be granted to the Hamilton Peace Council to hang a banner on the balcony of City Hall from 1986 April 30 - 1986 May 12 in connection with the Mothers' Day Peace Walk.
13. That the Provincial Minister of Municipal Affairs and the Provincial Treasurer be asked to amend Section 496 (24) of The Municipal Act to include reference not only to razing, but also to the building in question becoming or being rendered substantially unusable (etc.) by fire, demolition or otherwise, whether or not this resulted from accidental damage or intentional demolition.
14. That civic gold rings be awarded to the Hamilton Golden Hawk Senior "A" Hockey Team League who won the Canadian Senior "A" Hockey Championship in Saskatchewan on 1986 March 20-23.
15. That civic gold pins be presented to the Junior Girls Bowling Team from the Sherwood Centre who won the Provincial Championship - "Four Steps to Stardom" tournament.
16. That the City Solicitor be authorized and directed to prepare by-laws to give effect to The City of Hamilton Act, 1986, (Bill Pr4), respecting unassumed lanes or alleys.
17. That the Province of Ontario be requested to amend the Occupiers Liability Act, to eliminate or limit the Citys' responsibilities for claims in City parks and open space areas and that copies of this resolution be forwarded to the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM), urging their support in the adoption of this legislation.
18. That the following resolution from McMaster University dealing with the recently announced University Excellence Fund be endorsed.

WHEREAS it is essential to maintain and improve Ontario's economic competitiveness in a changing world economy, as well as its social and cultural vitality; and

WHEREAS the universities of the Province play a critical role in Ontario's development; and

WHEREAS provincial operating grants per student to Ontario universities in 1984-85 were \$765 (16%) below the average of those in the other provinces, leaving Ontario ninth in rank among the province of Canada;

THEREFORE, BE IT RESOLVED THAT the HAMILTON CITY COUNCIL urges the Government of Ontario to build on the initiative of its recently announced University Excellence Fund and to fund the Province's universities at least at the average of the other Canadian provinces.

19. That the following procedures be adopted as the City of Hamilton's policy on the retention of outside legal counsel:

Procedure for Retention of Outside Legal Counsel

(a) Recommendation to Committee:

(1) Provide the following information:

- (i) name of firm, (outside legal counsel),
- (ii) subject matter,
- (iii) necessity of expediency,
- (iv) such other information as the circumstances require.

(2) Basis of Which City Solicitor Makes Recommendation:

- (i) Legal perceptions of City Solicitor based on legal and and corresponding factual considerations.
- (ii) Preservation and protection of the legal interests of the City Corporation as determined by the City Solicitor.
- (iii) All matters being equal, utilization of Hamilton Solicitors.

(b) Factors Included in Selection of Outside Legal Counsel By City Solicitor

- (i) Expertise and specialization
- (ii) Resources available to law firm
- (iii) Familiarity withlike issues in other areas of the Province
- (iv) Familiarity with relevant classes of subject matter
- (v) Legal experience available to law firm
- (vi) Variety of legal practice
- (vii) Access to Provincial and Federal Government officials, practices and procedures.
- (viii) Nature and length of time of practice
- (ix) Availability for advice to and consultation with Civic Officials, Aldermen, Committees and City Council
- (x) Capability of concluding matters within a specified time period.
- (xi) Probability of result.

NOTE: The list of factors does not connote any order of importance, significance or sequence.

Explanatory Note:

For the information of the members of City Council, the Legislation Committee, at is meeting on 1986 April 21 directed the City Solicitor on an annual basis, to provide for their information, a statistical summary on the retention of outside legal counsel.

20. That the following tax adjustments as recommended by the Tax Appeals Review Committee at its meeting held 1986 April 16 be approved:

Appeal	Amount (1)	(2)	(3)	(4)
Schedule "A" Compassionate	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Apr.16/86</u>	Total Year-to-Date <u>1986</u>
	\$16,190.00	\$ 3,000.00	Nil	\$3,000.00
Schedule "B" Business	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Apr.16/86</u>	Total Year-to-Date <u>1986</u>
	\$2,063,504.19	\$517,128.29	\$79,600.41	\$596,728.70
Schedule "C" Realty	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>Apr.16/86</u>	Total Year-to-Date <u>1986</u>
	\$262,474.83	\$159,191.28	\$83,988.69	\$243,179.97

21. That leave be granted to introduce the following bills:

- (a) By-law to amend Street Vendors By-law 85-66 respecting removal of stands, priority of locations, elimination of services and cancellation of permit.
- (b) By-law to amend Traffic By-law 66-100 respecting parking or leaving of motor vehicles in unassumed lanes or alleys.
- (c) By-law respecting dumping or storage of objects and removal of debris from unassumed lanes and alleys.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Mrs. L. Dale, Secretary
Legislation Committee
1986 April 21

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council.

The Personnel Committee presents its SIXTH Report for 1986 and respectfully recommends:

1. (a) That the East Mountain Fire Station Project, as provided for in the 1986 portion of the 1986-1990 Capital Budget at a gross estimated cost of \$1,160,000.00, be approved at its new location in the area of Limeridge Road and Upper Ottawa Street.
- (b) That the Executive Committee recommend to City Council the amount and source of funds to be provided for this capital project.
- (c) That soil tests be undertaken at an estimated cost of \$2,500.00.
- (d) The appointment of Victor Pala, Architect, for this project.
- (e) That the City Solicitor be authorized and directed to take appropriate action with regard to the Ontario Municipal Board and City Council approvals received for the original construction site being Birchmount Road and Stone Church Road East, as construction is now recommended at Limeridge Road and Upper Ottawa Street area.
- (f) That the \$200,000.00 for the acquisition of a pump truck, which is included in the gross cost of \$1,160,000.00, be approved as a separate project.

Note: For the information of the members of City Council:-
In 1981 the Ontario Municipal Board approved the East Mountain Fire Station, then to be located on Stone Church Road East, by their Order E 81695.

City of Hamilton By-law No. 82-24 also approved this project. Action will be required by the City Solicitor to alter these approvals to the now recommended location in the area of Limeridge Road and Upper Ottawa Street.

Victor Pala, Architect, was appointed as the architect for the original project. It is now recommended that Victor Pala's services and architectural drawings be utilized for this project.

2. Approval of Appointments and Terminations in permanent and temporary with The Corporation of the City of Hamilton to April 15, 1986, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

K. E. Avery, Acting Secretary
1986 April 23

SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Susan Biasutti	Stenographer III	Public Works	replacing Kay Morden - promoted	E-3	\$333.04 per week	Apr. 7/86
Mr. Robert Cober	District Chief	Fire	replacing John Murphy - retired	C-11	\$45,283.07 per annum	Mar. 30/86
Mr. Alberto Filice	Foreman II (Districts)	Public Works	replacing Andries Boers - promoted	12C	\$31,841.16 per annum	Mar. 31/86
Mr. Anthony Mancini	Foreman III (Districts)	Public Works	replacing George Cavael - promoted	13C	\$27,931.80 per annum	Mar. 24/86
Mrs. Eldoreen Mason	Counter Clerk	City Clerk's	returning to perm. position (was replacing Eva Hulyina - S.F.D.	E-3	\$359.81 per week	Mar. 24/86
Mrs. Mary Murray	Mailing List Clerk	H.E.C.F.I.	replacing Joy Brunel - resigned	HA 3H	\$12,357.80 per annum	Mar. 24/86
Mrs. Sandra O'Connor	Stenographer III	Building	replacing Joanne Maki - resigned	E-3	\$333.04 per week	Mar. 24/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Fernand Poirier	Garbageman	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-8	\$11.344 per hour	Mar. 31/86
Mr. Romas Rimkus	Shop Helper	Central Garage Div. of Public Works	replacing Bernard Browne - retired	D-7	\$11.287 per hour	Feb. 25/86
Mr. Steve Suneson	Lieutenant	Fire	replacing Donald Matson - retired	C-7	\$38,514.25 per annum	Mar. 30/86
Mr. Luigi Cialini	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. James Dean	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Domenico Domenicone	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86

Prepared April 16, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. John Durant	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Mark Holland	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Michael Holmes	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Milorad Josic	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. James Keenan	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Adam Marynowicz	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Michael Maxwell	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Richard Melanson	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. David Michor	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. John Mule	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Adriano Pocobene	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. John Ross	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Terry Verge	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86
Mr. Scott Weaver	Labourer	Public Works	returning to perm. position (was working in Cul. & Rec. as a Seasonal Rink Attendant)	D-5	\$11.161	Mar. 31/86

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Harley Booker	Firefighter I	Fire	retired	34 years & 9 months	Apr. 25/86
Mr. Allan Grieve	Deputy Fire Chief	Fire	retired	34 years & 4 months	Apr. 30/86
Mr. Ronald Petrucci	Street Sweeper Op., Flusher Dr., Truck Dr., & Labourer	Public Works	retired	4 years & 8 months	Apr. 1/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Nancy Harrington	Educational Assistant (temporary)	Historical Sites Div. of Cul. & Rec.	replacing Elli Santucci - temp. promoted	107	\$16,379.48 per annum	Apr. 1/86
Mr. Paul Douglas	Journeyman Carpenter (temporary)	Prop. Mtce. Div. of Real Estate	seasonal staff	C	\$18.810 per hour	Apr. 7/86
Mr. Daniel Spicer	Journeyman Carpenter (temporary)	Prop. Mtce. Div. of Real Estate	seasonal staff	C	\$18.810 per hour	Mar. 25/86
Miss Elizabeth Wigmore	Taxation Clerk IV (temporary)	Treasury	replacing Pam Collier - transferred	E-4	\$365.58 per week	Mar. 24/86

THE CORPORATION OF THE CITY OF HAMILTON
 TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
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none

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its TWELFTH Report for 1986 and respectfully recommends:

1. That the City Solicitor be authorized and directed to extend the closing date of the transaction conveying 37 Strathcona Avenue North to the Hellenic Community of Hamilton and District from 1986 April 9th, (pursuant to the Option to Purchase approved by City Council 1985 April 9th) to 1986 June 30th.

2. (a) That a purchase order be issued to Evergreen Sod Farms Ltd., Waterdown, for the supply and delivery of sod, as and when required, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

Delivered - \$.63 per roll Picked up - \$.50 per roll
Provincial Sales Tax Extra @ 7%.

NOTE: Lowest of seven tenders received. Funds provided in various accounts.

- (b) That an order be issued to Cloke and Son Ltd., Hamilton, for the supply and delivery of Office Supplies and stationery, as and when required to City Departments for the years 1986, 1987 and 1988 at a cost not to exceed approved Departmental budgets.

NOTE: Lowest of three (3) tenders submitted. Funding is from various accounts.

- (c) i. That a Purchase Order for 1986 be placed with Armour Protection, Hamilton, for the supply and delivery of Traffic Vests and Tear-away Traffic Vests at the following prices:

- Traffic Vests - \$10.59 each including taxes
- Tear-away Traffic Vests - \$12.39 each including taxes

NOTE: The lowest of seven tenders received. Funds provided in various accounts.

- ii. That a Purchase Order for 1986 be placed with Lawlor & Co., Hamilton, for the supply and delivery of Rainwear, Hearing Protection, Respirators and Traffic Cones, at the following prices:

-Bilsom ear protectors #2314, W/cap adapter	\$17.55 each
-Bilsom #2308	17.55
-Bilsom #3403	6.68
-Decidamp ear plugs	.19
-28" traffic cones	9.82
-12" traffic cones	3.21
-Respirator face pieces	18.72
-#7500-1 & 2 cartridges	20.60 box
-#7500-7 cartridges	19.42
-#7500-8 cartridges	19.15
-#7500-6B cartridges	41.25 C
-#7500-10B cartridges	63.61
-#7500-13 cartridges	1.36 each
-#7500-27 cartridges	1.22
-#7500-31 cartridges	5.06 Box
-#7500-23B cartridges	70.56 C
-Wind Guard WL-8	1.34 each
-Cam-Hi WL-1	2.57
-Rain Pants all sizes	11.65
-Rain Jackets, all sizes	14.81
-Rain Coats, all sizes	20.33
-Rain Hats	3.04

NOTE: The lowest of three tenders received. Funds provided in various accounts.

3. (a) That the claims of Margaret and James Tovey as against the City, be settled in the amount of \$2,300. inclusive of interest and costs.

NOTE: "By Statement of Claim issued 1985 November 7, Margaret and James Tovey commenced action against the City. They claimed damages of \$50,000. as a result of Margaret Tovey falling on a City sidewalk and fracturing her elbow in the vicinity of 98 Wellington Street North on 1985 August 21."

- (b) That the claims of Mary and John Moroz be settled in the amount of \$8,978.20 inclusive of interest and costs and that the claim of OHIP be settled in the amount of \$1,663. inclusive of interest and costs for a total settlement of \$10,641.20.

NOTE: "By Writ of Summons issued 1983 November 14, Mary and John Moroz commenced action against the City for damages Mrs. Moroz suffered when she fell on the City Hall staircase between the first and second floor lobby on 1983 November 1 fracturing her ankle. Mr. and Mrs. Moroz claimed damages totalling \$75,000.

- (c) That the claims of Gerald Hitzroth and the City against Allan S. Cox be settled in the amount of \$4,382.62 inclusive of interest and costs, said amount to be paid to the City and that in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and the attached Application by Mr. Hitzroth, the surplus of \$3,720. that will remain after the deduction of the City's expenses and costs, be paid to Mr. Hitzroth.

NOTE: "On 1984 March 8, Gerald Hitzroth was operating a City vehicle when it was struck from behind by a vehicle owned and operated by Allan S. Cox. Mr. Hitzroth suffered injury to his neck."

4. That the total amount of \$24,050 to be provided in the Local Planning function of the 1986 Current Estimates for the provision of two additional positions regarding LACAC, be financed by a transfer of appropriation from the Contingency Account 0378-1198 to the Local Planning Estimates Account 0331-0160.
5. That an amount of \$2,000 to provide for the Coopers and Lybrand Consulting Group to give evidence, if required, at a rate of \$750 per diem, at an O.M.B. hearing on Official Plan Amendment No. 28, be financed by an overdraft approval within the Local Planning Estimates Account 0331-0119, and setting aside these funds within the "allocated" portion of the Contingency account 0378-11xx.
6. (a) That the grant amounts and categories for existing General Grants as outlined in Appendix "A", appended hereto, be approved. (Note: These applicants received a grant in 1985 and earlier.)
 - (b) (i) That the grant amounts for Convention/Reception Grants, as outlined in Exhibit "A", appended hereto, be approved.
 - (ii) That an amount of \$2 000 be set aside for any additional Convention/Reception grants that may be requested during the year.
 - (c) (i) That the recommendations with respect to new General Grants in Exhibit "B", appended hereto, be approved.
 - (ii) That the approved new grants be placed in Category 4 -One-time only on the understanding that all grants and grant categories be reviewed in greater detail during 1986.

(d) That the following grant applications be tabled pending further information:

- i. First Place - Hamilton
- ii. Afro - Canadian Caribbean Association of Hamilton and District Inc. (two requests received)
- iii. Lincoln Alexander Community Centre

(e) That a Traditional General Grant - Category 1 in the amount of \$3 900 to the Hamilton Fire Department Band to offset rental charges at the Airport, be approved.

(f) That the following One-time Only Grants - Category 4 be approved:

- i. Catholic Social Services S.E.L.F. Summer Day Programme in the amount of \$500 to defray the costs for a trip through the Muskoka area for mentally retarded adults.
- ii. National Conference on Hunger in the amount of \$250 as a contribution that was requested of major cities in Ontario, towards this conference held in Toronto, 1986 October 30 to 1986 November 1.

NOTE: The City of Hamilton Estimate Book, which is to be approved by City Council, includes the Unallocated Grant Funds Account Number 0374-0600 (Page 292) in the amount of \$647,760. The above recommendations allocate these funds to the extent outlined in Exhibit "C", appended hereto.

City Council approval of the recommendations in sub-items (b) to (f) will not impede the applicants right to appeal the decision to the Finance Committee in accordance with the Grant Guidelines. The appeals have been completed and the results are reflected in sub-item (a) for the existing general grants.

The balance of the unallocated grant funds is \$8 490 subject to the approval of the grant amounts reflected above. This amount will be applied to any increase in grant amounts as a result of any appeals to be heard by the Finance Committee, as well as any additional grant requests that may be received during the year, until depleted.

Upon request to the Secretary of the Grants Subcommittee copies of any of the grant applications and/or further information will be provided.

7. (a) That, subject to the execution of an agreement satisfactory to the City Solicitor, the Navy League of Canada - Hamilton Branch, be given an interest free loan in the amount of \$10 500, said loan to be repaid to the City of Hamilton in equal payments of \$2 100 over a five-year period with the first payment due 1987 May 1.
- (b) That this amount be set aside in the Allocated portion of the Contingency Account - 0378-2798.

8. That Council approve the 1986 Mill Rates for the City, Region and Boards of Education in accordance with Exhibit "A", column (10), appended hereto.
9. (a) That the 1986 Current Estimates for City of Hamilton purposes in the amount of \$127 929 980, be approved; and
(b) That the resultant 1986 Residential mill rate of 79.3485 and Non-residential mill rate of 93.3512, representing an increase of 8.1% over 1985 rates for City purposes, be adopted.
10. That the Chairman of the Finance Committee, or his designate, be authorized to attend the International Software Market in Montreal, Quebec, 1986 May 12 to 14.

NOTE: This conference will be holding specialized workshops in computer applications in municipal management.

11. That a letter be sent to the Board of Education for the City of Hamilton, requesting semi-annual meetings between representatives of the Board of Education and the City of Hamilton, to discuss items of mutual concern.
12. That leave be granted to introduce the following bills:
 - (a) Bill G-18 - By-law to Fix the Rates of Taxation for Municipal Purposes for the year 1986.
 - (b) Bill G-19 - By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1986.
 - (c) Bill G-20 - By-law to Fix the Rates of Taxation for School Purposes for the Year 1986.
 - (d) Bill G-21 - By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the year 1986.
 - (e) Bill G-22 - By-law to Levy an Annual Tax on Telephone Companies Doing Business in Ontario.

Respectfully submitted,

ALDERMAN P. VALERIANO, CHAIRMAN,
FINANCE COMMITTEE

R. Prowse, Secretary,
1986 April 22
attchms.

Appendix "A" as referred to in item 6(a) of the 12th Report of the Transport & Environment Committee

GRANTS

THE CORPORATION OF THE CITY OF HAMILTON

TREASURY

EXP

1986 BUDGET WORKSHEET - FORM NO. 1

DESCRIPTION (2)	PROJECTED		ADJUSTMENT		1986	
	1985 ACTUAL (3)	1985 ESTIMATE (4)	ESTIMATE INCREASE+ DECREASE- (5)	INFLA- TIONARY COST (6)	EXPANSION SERVICE LEVEL (7)	ORIGINAL ESTIMATE (4+5+6+7) (8)

S**

ORY 1- TRADITIONAL
MUM INCREASES AT
TION RATE

Requested
Funding

Approved
Funding by the
Finance Committee

01	CANADIAN MARPLANE HERITAGE-AIRPORT	7,340	7,340	7,340-		
02	FIRE DEPARTMENT BAND	3,630	3,630	3,630-		
03	431 KRAKOW WING-AIRPORT	450	450	450-		
05	CANUSA GAMES	18,000	18,000	17,000+		35,000
07	CATHOLIC YOUTH ORGANIZATION	10,650	10,650	540+		11,190
10	DCI CANADA	2,560	2,560	1,440+		4,000
11	FIRST PLACE-HAMILTON	6,000	6,000	4,000+		10,000
17	HAMILTON CARDINALS BASEBALL CLUB	1,700	1,700	1,300+		3,000
22	HAMILTON AND DISTRICT CHRYSANTHEMUM SOCIETY	330	330	70+		400
28	HAMILTON HORTICULTURAL SOCIETY	300	300			300
30	HAMILTON HURRICANES FOOTBALL CLUB	2,310	2,650	50-		2,600
34	HAMILTON OLYMPIC CLUB	1,500	1,500	120+		1,650
35	MCMMASTER SPORTS TRACK CLUB	1,000	1,000	500+		1,500
48	IMPERIAL ORDER DAUGHTERS OF THE EMPIRE-GRANT TOWARD TAXES	6,390-	6,390	6,390-		
52	KIWANIS CLUB WESTDALE	1,990	1,990	110+		2,100
54	KIWANIS EAST END BOYS' CLUB UPKEEPING & MAINTENANCE	133,430	133,430	12,500+		145,930

2,670
6,240 - Tabled for further
information.

Appendix "A"
Page 1

ACCOUNT		PROJECTED		ADJUSTMENT		1986	
A.D.D.	DESCRIPTION	1985	1985	ESTIMATE	INFLATIONARY	EXPANSION	ORIGINAL
DEPT J J T	(12)	ACTUAL	ESTIMATE	DECREASE-	COST	SERVICE	ESTIMATE
(11)		(3)	(4)	(5)	(6)	LEVEL	(14+5+6+7)
						(17)	(18)
0374	*GRANTS**						
01	"CATEGORY 1 - TRADITIONAL -MAXIMUM INCREASES AT INFLATION RATE"						
56	KIMANIS EAST END BOYS' CLUB TAXES	32,263	31,670	1,390+	620		33,880
60	MCMASTER SYMPHONY ORCHESTRA	6,300	6,300	300+			6,600
64	MOUNT HAMILTON HORTICULTURAL SOCIETY	300	300	50+			350
68	NATIONAL YOUTH ORCHESTRA	200	200				200
72	21ST HIGHLANDER TRACK MEET	12,000	12,000	12,000-			
90	THEATRE AQUARIUS INC.	31,500	31,500	3,500+			35,000
91	JAZZ AT ST.CIS	1,200	1,200				1,200
92	JOHN LAING SINGERS	500	500	700+			1,200
93	HAMILTON AQUATIC WATER POLO CLUB	4,000	4,000	5,500+			9,500
94	INTERNATIONAL YOUTH YEAR COUNCIL	927	1,130	1,130-			
95	HAMILTON PONTIACS LADIES' SOFTBALL TEAM	850	850	1,400+			2,250
96	CARE CENTRE	150	150	150-			
97	GALLERY OF DISTINCTION AWARDS	6,500	6,500	500-			6,000
	ACTIVITY TOTALS	281,490	294,420	18,910+	620		313,850

ACCOUNT		PROJECTED		ADJUSTMENT		1986	
A D O	C B E	1985	1985	ESTIMATE	INCREASE+	INFLATIONARY COST	EXPANSION SERVICE ESTIMATE
DEPT 1 J T	DESCRIPTION	ACTUAL	ESTIMATE	DECREASE-			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
0374	*GRANTS**						
02	"CATEGORY 2 - FIXED FUNDING LEVEL"						
03	CHRISTMAS LIGHTING -BUSINESS ASSOCIATION	5,300	5,000	1,000+		6,000	
06	CITY HALL FASTBALL LEAGUE	200	200	10+		210	
09	CIVIC CONCERT CHOIR OF HAMILTON	2,000	2,000			2,000	
12	HAMILTON ARTISTS' INC.	2,000	2,000	2,000+		4,000	
15	HAMILTON CIVIC EMPLOYEES GOLF TOURNAMENT	250	250			250	
18	HAMILTON CONCERT BAND	5,000	5,000	4,000+		9,000	
21	HAMILTON THEATRE INC.- OPERATING	6,500	6,500	500+		7,000	
24	HAMILTON VISUALLY IMPAIRED GOLFERS ASSOCIATION	311	750	250+		1,000	
30	HAMILTON-WENTWORTH AQUATIC CLUB	11,000	11,000	600+		11,660	
33	JUNIOR ACHIEVEMENT OF HAMILTON	7,500	7,500			7,500	
39	NAVY LEAGUE OF CANADA	1,500	1,500			1,500	
42	PLAYER'S GUILD OF HAMILTON	4,000	4,000	3,500+		7,500	
43	CONQUEROR II DRUM AND BUGLE CORPS	7,000	7,000	12,480+		19,480	
44	HUGE RAIDERS DRUM AND BUGLE CORPS	7,000	7,000	5,000+		12,000	
45	ROYAL CANADIAN AIR CADETS 150 SQUADRON	1,500	1,500			1,500	

Approved Funding by the Finance Committee

6,000

200

2,000

3,000 (reflects appeal decision)

250

5,000 (appeal denied)

4,500

750

11,000

7,500

1,500 (also will receive \$10,500 interest free loan)

4,000

7,000

7,000

12,000

1,500

DATE 04/03/86

*GRANTS**

THE CORPORATION OF THE CITY OF HAMILTON

TREASURY

1986 BUDGET WORKSHEET - FORM NO. 1

EXP

ACCOUNT

DEPT T J T

DESCRIPTION

PROJECTED
1985
ACTUAL
(3)

1985
ESTIMATE
(4)

ADJUSTMENT
TO 1985
ESTIMATE
INCREASE+
DECREASE-
(5)

INELA-
TIONARY
COST
(6)

EXPANSION
SERVICE
LEVEL
(17)

1986
ORIGINAL
ESTIMATE
(14+5+6+7)
(18)

0374 *GRANTS**

Requested
Funding

Approved
Funding by the
Finance Committee

Appendix "A"
Page 4

1,500

800

4,000 (reflects appeal decision)

19,000

280

1,500

(Previously approved by City Council - not in total)

38,700

29,000

10,000

500

500

\$167,480

03 "CATEGORY 3- FUNDING
REDUCTION AT 20 PERCENT
PER YEAR"

01 HAMILTON HISTORY
ASSOCIATION

2,000

2,000

2,000

02 HAMILTON MULTICULTURAL
THEATRE

600

600

600

166,936

167,080

36,510

203,590

DATE 04/03/86 *GRANTS**

THE CORPORATION OF THE CITY OF HAMILTON

TREASURY

EXPE

1986 BUDGET WORKSHEET - FORM NO. 1

ACCOUNT

A O D

DEPT T J T

(1)

DESCRIPTION

(2)

PROJECTED

1985

ACTUAL

(3)

1985

ESTIMATE

(4)

ADJUSTMENT

TO 1985

ESTIMATE

(5)

INFLA-

TIONARY

COST

(6)

EXPANSION

SERVICE

LEVEL

(7)

1986

ORIGINAL

ESTIMATE

(8)

AD

JUSTMENT

(9)

0374 *GRANTS**

Requested
Funding

Approved
Funding by the
Finance Committee

75,000 (to be transferred to
Category 1 - Traditional Grants)

500

75,000 (to be transferred to
Category 1 - Traditional Grants)

Category 1 - Traditional Grants

Appendix "A"
Page 5

ACCOUNT	DESCRIPTION	PROJECTED 1985 ACTUAL (3)	1985 ESTIMATE (4)	ADJUSTMENT TO 1985 ESTIMATE INCREASE+ DECREASE- (5)	INFLA- TIONARY COST (6)	EXPANSION SERVICE LEVEL (7)	1986 ORIGINAL ESTIMATE (8)	AD JUSTMENT (9)
0374	*GRANTS**							
03	*CATEGORY 3- FUNDING REDUCTION AT 20 PERCENT PER YEAR"							
05	HAMILTON-STONEY CREEK SKATING CLUB	1,000	1,000	4,000+			5,000	
08	OPERA HAMILTON	80,000	80,000				80,000	
15	EXPERIMENTAL AIRCRAFT ASSOCIATION-AIRPORT GRANT	1,250	1,250	1,250-				
16	779 AIR CADETS-AIRPORT GRANT	3,630	3,630	3,630-				
20	FESTITALIA	1,600	1,600	1,600-				
21	HAMILTON INTERNATIONAL AIRSHOW	1,000	1,000	1,000-				
	ACTIVITY TOTALS	91,080	91,080	6,080-			85,000	
04	"CATEGORY 4- ONETIME ONLY GRANTS"							
01	ARGYLL AND SUTHERLAND HIGHLANDERS PIPES AND DRUMS	10,000	10,000				10,000	
03	HAMILTON FIRE FIGHTER'S DRUM CORP-GREY CUP	8,000	9,000	8,000-				
04	LEANDER HOAT CLUB	10,000	10,000	5,000-			5,000	
05	HAMILTON ART SCHOOL	500	500	500-				
06	HAMILTON HEAD INJURY FAMILY SUPPORT GROUP						200	200
07	CARDINAL NEWMAN HIGH SCHOOL-SUCCESS TEAM						750	750

200
750

{ previously approved by
City Council - not in total }

THE CORPORATION OF THE CITY OF HAMILTON

DATE 04/03/86

*GRANTS**

TREASURY

EXP

1986 BUDGET WORKSHEET - FORM NO. 1

ACCOUNT	DESCRIPTION	ADJUSTMENT				1986 ORIGINAL ESTIMATE
		PROJECTED 1985 ACTUAL (3)	1985 ESTIMATE (4)	TO 1985 ESTIMATE INCREASE+ DECREASE- (5)	INFLATIONARY COST (6)	
DEPT T J Y (1)						
0374	*GRANTS**					
04	"CATEGORY 4 - ONETIME ONLY GRANTS"					
08	HAMILTON TIGERS RINGETTE				2,500	2,500
09	HAMILTON POETRY CLUB				750	750
	ACTIVITY TOTALS	28,500	28,500	13,500-	4,200	19,200

Requested Funding

812,000

Approved
Funding by the
Finance Committee
{ previously approved by
City Council - not in total

Appendix A
page 6

Exhibit "A" as referred to in item 6(b)i of the 12th Report of the Transport & Environment Committee

1) Applicant
Council Economic Development

City of Hamilton
Treasury

EXHIBIT "A"

1986 CONVENTION/RECEPTION GRANTS

	Description/ Comments (2)	No. of Participants (3)	No. from Out of Town (4)	Date (5)	Amount Requested (6)	Amount Approved Sub- Committee (7)	Finance (8)
2.	Barbados Canadian Friends of Canada	370	350	May 25	\$1,000	\$1,000*	Nil
	Host "Welcome to Hamilton" Opening Reception at Convention Centre as Part of Annual conference						
3.	Canadian Public Health Association	250	190	May 16-19	\$ 1,500	750	750
	Conference: "Canadian Perspectives on Health Promotion and Aging", Host Luncheon May 1/86						
4.	Central Canada Broadcasters Association	200	180	June 22-24	1,500	1,500	1,500
	Host "A Hamilton Hello" June 22nd as Part of Annual Meeting Convention						
5.	Hamilton and District Home Builders Association	350	300	Sept. 24-26	3,000	1,500	1,500
	Annual Conference and Breakfast						
6.	Hamilton and District Credit Union Chapter	120	65	June 14	480	480	480
	Conference and picnic for Hamilton and Erie Pa. Credit Union Chapters						
7.	Hamilton Lacrosse Association	4,000	3,600	July 4-6	500	500	500
	Ontario's Largest Lacrosse Tournament - 64 Teams from Across the Province - 1985 Received \$500 Grant						
8.	Hamilton Lithuanian Sports Club "Kovas"	400-600	350-550	May 2-4	1,500	1,000	1,000
	Hosting the North American Lithuanian Sports Games						
9.	Hamilton Marathon	5,000	3,500	June 8	4,500	4,000	4,000
	Convention Hall for Registration of Participants for the Marathon Race						
10.	Hamilton-Wentworth Mardi Gras Festival	1,500	500	February 9	2,000	1,000	1,000
	Children's Mardi Gras Party at the Convention Centre						

* Subject to consideration by the Region. (Note Regional Council approved a \$1,000 grant for each applicant at its meeting of April 15, 1986).

(1) Applicant	(2) Description/ Comments	(3) No. of Participants	(4) No. from Out of Town	(5) Date	(6) Amount Requested	Amount Approved	
						(7) Sub- Committee	(8) Finance
11. International Lilac Society	Banquet at the Holiday Inn	130	100	May 29-31	1,800	500	500
12. 1986 Ontario Provincial Charismatic Conference	Religious Gathering at McMaster	10,000	5,000	August 15-17	2,000	1,000	1,000
13. Ontario Inter-City Soccer League	All-Star Team Playing Against Canadian National Youth Team - Proceeds to go to National Youth Organization	50	30	May 20	250	250	250
14. Ontario Society of Education Through Art	1986 Conference of the Ontario Society of Education Through Art (Demonstrations and Workshops Pertaining to Art Education)	350-400	200	Oct. 23-25	1,050	800	800
15. Orienteering Ontario	Class "A" Meet and Reception, Banquet Dance	375-500	340+	May 12-19	1,500	1,000	1,000
16. Royal Canadian Air Force 447 Wing	Annual Group Convention 1986 Consisting of 34 Branches (Wings) from Across the Province	350-400	300	May 16-18	1,400	800	800
17. Student Mission Advance	"Student Advance '86" - 5 Day Christian Missions Conference	1,500-1,800	1,300	December 27-31	1,000	1,000	1,000
18. Sweet Adeline Inc., Region 16	Annual Competition and Convention	2,000	1,900	April 17-20	1,000	1,000	1,000
19. The Ontario Youth Concert Band and The Canadian Folk Dancers Inc.	Civic Reception for Kent Schools Symphonic Wind Band from England \$180 Grant in 1985	80	78	August 28	500	300	300
20. Ukrainian Canadian Committee - Hamilton Branch	Bi-annual Provincial General Meeting	100	50-60	June 7	1,000	600	600
21. United Transportation Union Local 343 Hamilton	Hosting the Annual Regional Meeting of Union Locals - to Defray Costs of Touring the City, i.e. Dundurn Castle, Whitehern and the Football Hall of Fame	300	175	August 20-22	2,000	1,200	1,200

<u>Applicant</u> (1)	<u>Description/ Comments</u> (2)	<u>No. of Participants</u> (3)	<u>No. from Out of Town</u> (4)	<u>Date</u> (5)	<u>Amount Requested</u> (6)	<u>Amount Approved Sub- Committee</u> (7)	<u>Finance</u> (8)
22. Westinghouse/Hotpoint Minor Hockey Association	Annual Banquet - Applicant does not participate in the Annual City's Banquet for Coaches and Managers (Note: Also Applied for 1986 General Grant)	650	0	April 27	2,600	1,000	1,000
23. Hamilton Pontiacs Ladies Softball Team	To defray park costs of the Ontario Senior II Class Championship Tournament	225-260	200-235	July 18-20	1,240	500	500
24. Consumers Association of Canada (Hamilton Branch)	Annual meeting and workshops	100	60	May 2-4	300	200	200
25. Black Women's Small Business Association	Host breakfast as part of "Sickle Cell Week" (Sickle Cell Anemia Research)	30	25	May 21	300	200	200
Total as of April 11, 1986					32,920	21,080	21,080

1986 April 23
DKB/pjk

Exhibit "B" as referred to in item 6(c)i of the 12th Report of the Transport & Environment Committee

THE CORPORATION OF THE CITY OF HAMILTON									
TREASURY									
1986 BUDGET WORKSHEET - FORM NO. 1									
EXP									
06	*GRANTS**								
		ADJUSTMENT							
		TO 1985							
		ESTIMATE							
		INCREASE+							
		DECREASE-							
		INFLA- TIONARY							
		COST							
		EXPANSION SERVICE							
		LEVEL							
		ORIGINAL							
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DATE 04/03/86

*GRANTS**

THE CORPORATION OF THE CITY OF HAMILTON

TREASURY

1986 BUDGET WORKSHEET - FORM NO. 1

EXHIBIT
Page 2

ACCOUNT		PROJECTED		ADJUSTMENT		1986	
A O L		1985		TO 1985		ESTIMATE	
C B E		ACTUAL		ESTIMATE		INFLA- EXPANSION ORIGINAL	
DEPT T J T		(1)		(2)		TUNARY SERVICE LEVEL (4+5+6+7)	
(1)		(3)		(4)		(6)	
DESCRIPTION		(1)		(2)		(4)	
(2)		(3)		(4)		(6)	
*GRANTS**		ESTIMATE		DECREASE-		COST	
(1)		(3)		(4)		(6)	
UNALLOCATED GRANT		ESTIMATES		ESTIMATES		ESTIMATE	
(1)		(3)		(4)		(6)	
06		ESTIMATES		ESTIMATES		ESTIMATE	
(1)		(3)		(4)		(6)	
12		PALESTINIAN ARAB		ASSOCIATION OF HAMILTON		1,000	
(1)		(3)		(4)		1,000	
13		ALLAN P. BARNES AND		WILLIAM M. DAVERN		500	
(1)		(3)		(4)		500	
14		HAMILTON YACHT CLUB				65,600	
(1)		(3)		(4)		65,600	
15		CANADIAN INTERNATIONAL		ANIMATION FESTIVAL		50,000	
(1)		(3)		(4)		50,000	
16		826 AIR CADET SQUADRON				1,500	
(1)		(3)		(4)		1,500	
17		HAMILTON DISTRICT BASEBALL		ASSOCIATION		5,500	
(1)		(3)		(4)		5,500	
18		SCHIEHALLION DANCERS				5,000	
(1)		(3)		(4)		5,000	
19		ARMENIAN COMMUNITY CENTRE				3,000	
(1)		(3)		(4)		3,000	
20		HAMILTON HORNETS RUGBY		FOOTBALL CLUB INC.		2,750	
(1)		(3)		(4)		2,750	
21		LINCOLN ALEXANDER		COMMUNITY CENTRE		41,750	
(1)		(3)		(4)		41,750	
22		NEW GROUP THEATRE				3,000	
(1)		(3)		(4)		3,000	
23		HAMILTON FOR WILDLIFE		WEEKEND		1,000	
(1)		(3)		(4)		1,000	
24		HAMILTON CHILDRENS CHOIR				700	
(1)		(3)		(4)		700	
25		HAMILTON-WENTWORTH HARTDI		GRASS FESTIVAL		2,000	
(1)		(3)		(4)		2,000	
26		PARKWOOD SPORTS COUNCIL				2,000	
(1)		(3)		(4)		2,000	
27		MICKINAWY OF HAMILTON		MICKINAWY		23,000	
(1)		(3)		(4)		23,000	

Requested
FundingApproved
Funding by the
Finance Committee

500

Denied

Denied

10,000

Denied

Refer to Region

2,000

500

500

Table for further information

Denied

Denied

Denied

500

500

10,000

THE CORPORATION OF THE CITY OF HAMILTON

EXHIBIT "B"
Page 3

DATE 04/03/86

TREASURY

E)

*GRANTS**

1986 BUDGET WORKSHEET - FORM NO. 1

ACCOUNT	DESCRIPTION	PROJECTED		ADJUSTMENT		INFLATIONARY		EXPANSION		ORIGINAL	
		1985	1986	ESTIMATE	INCREASE	ESTIMATE	DECREASE	ESTIMATE	INCREASE	ESTIMATE	DECREASE
DEPT	ACTUAL	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
0374	*GRANTS**										
06	UNALLOCATED GRANT ESTIMATES										
28	WESTINGHOUSE/HOTPOINT MINOR HOCKEY ASSOCIATION		1,200	1,200							
29	CLEAR CUT		5,000	5,000							
30	CARDINAL NEWMAN HIGH SCHOOL DAND		7,950	7,950							
31	MIKE WOODS		3,000	3,000							
32	SCOTT MCLARTY		6,000	6,000							
33	LAURIER PLAYGROUND FUNDRAISING COMMITTEE		160	160							
34	Concession Street B.I.A.		1,000	1,000							
35	Hamilton History Associates		10,000	10,000							
36	Hamilton Community Concert Association - patron sponsor		100 to 500	100 to 500							
			\$ 330,710								
			\$ 38,260								

Approved
Funding by the
Finance Committee

City of Hamilton
TreasuryExhibit "C" as referred
to in item 6(f) (NOTE:
of the 12th Report of
Transport & Environment
Committee1986 ALLOCATION OF GRANT FUNDS

Unallocated Grant Funds

(Current Estimate Book Page 292 Acct. No. 0374-0600)

\$ 647,760
=====RECOMMENDED ALLOCATIONCategory 1 - Traditional Grants

- Total Appendix A, Page 2	\$297,100	
- Hamilton Fire Department Band	<u>3,900</u>	\$ 301,000

Category 2 - Fixed Grants

- Total Appendix A, Page 4		167,480
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Category 3 - Sunset Grant

- Total Appendix A, Page 5 (1)		75,500
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Category 4 - One-Time Only

- Total Appendix A, Page 6	\$ 12,000	
- Catholic Social Services S.E.L.F. Summer Day Program	500	
- National Conference on Hunger	<u>250</u>	12,750

Convention/Reception Grants

- Previously approved by City Council	\$21,200	
- Total Exhibit A	21,080	
- Provision for Possible Additional Requests	<u>2,000</u>	44,280

New General Grants

- Total Exhibit B (2)		<u>38,260</u>
-----------------------	--	---------------

TOTAL ALLOCATED

\$ 639,270

BALANCE OF UNALLOCATED
GRANT FUNDS (3)8,490\$ 647,760
=====

..... 2

Notes:

- (1) Included in this total is Opera Hamilton, which has been recommended to be transferred to Category 1 - Traditional Grants in the amount of \$75,000.
- (2) All new approved grants are to be placed in Category 4 - One-Time Only on the understanding that all grants including the existing grants are to be reviewed in terms of funding levels and categories during 1986.
- (3) This amount will be applied to any increase in grant amounts as a result of any appeals to be heard by the Finance Committee, as well as any additional grant requests that may be received during the year, until depleted.

1986 April 23
DKB/pjk

City of Hamilton
Treasury

COMPARISON OF COMPONENTS AND TOTAL MILL RATES
FOR THE YEARS 1978 TO 1986 INCLUSIVE

M I L L R a t e s										* Increase + Decrease - 1985 to 1986 Mills (11)		% (12)
	1978 (2)	1979 (3)	1980 (4)	1981 (5)	1982 (6)	1983 (7)	1984 (8)	1985 (9)	1986 (10)			
Residential												
City Region	44.1755	48.4964	50.4406	57.8731	62.7923	62.7923	69.7323	73.4019	79.3485	5.9466+	8.1+	
	39.8564	43.6860	46.6984	50.2599	54.7552	56.6640	56.8038	59.6126	63.5186	3.9060+	6.6+	
Sub Total	84.0319	92.1824	97.1390	108.1330	117.5475	119.4563	126.5361	133.0145	142.8671	9.8526+	7.4+	
Education - Elementary	34.4219	39.8564	40.9514	44.2020	50.0013	57.0683	58.2131	65.4968	68.4729	2.9761+	4.5+	
- Secondary	30.2738	33.4261	33.7734	35.0029	37.9186	41.0524	44.2715	45.1813	43.2464	1.9349-	4.3-	
Sub Total	64.6957	73.2825	74.7248	79.2049	87.9199	98.1207	102.4846	110.6781	111.7193	1.0412+	.9+	
Total Mill Rates	148.7276	165.4649	171.8638	187.3379	205.4674	217.5770	229.0207	243.6926	254.5864	10.8938+	4.5+	
Non-Residential												
City Region	51.9712	57.0546	59.3419	68.0860	73.8733	73.8733	82.0379	86.3552	93.3512	6.9960+	8.1+	
	46.8898	51.3953	54.9393	59.1293	64.4179	66.6636	66.8280	70.1325	74.7278	4.5953+	6.6+	
Sub Total	98.8610	108.4499	114.2812	127.2153	138.2912	140.5369	148.8659	156.4877	168.0790	11.5913+	7.4+	
Education - Elementary	38.2466	44.2849	48.1781	52.0023	58.8251	67.1392	68.4860	77.0551	80.5564	3.5013+	4.5+	
- Secondary	33.6376	37.1401	39.7334	41.1799	44.6101	48.2969	52.0841	53.1545	50.8781	2.2764-	4.3-	
Sub Total	71.8842	81.4250	87.9115	93.1822	103.4352	115.4361	120.5701	130.2096	131.4345	1.2249+	.9+	
Total Mill Rates	170.7452	189.8749	202.1927	220.3975	241.7264	255.9730	269.4360	286.6973	299.5135	12.8162+	4.5+	

Note: The 1986 mill rates were calculated based on the 1985 unrevised assessment roll for 1986 taxation.
1986 April 15

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Hill	Eastbound	Poulette
Cline	Eastbound and Westbound	Paisley".

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 9 R.T.E.C. 45, April 29

Bill No. B - 33

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section 7 (Three Hour Limit) the following item, namely:-

"Park	East	Robinson to Duke".
-------	------	--------------------

2. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Grosvenor	East	Barton to 118 ft. south
Crockett	South	East 35th to 58 feet west".

and by adding thereto the following items, namely:-

"Grosvenor	East	Barton to 171 feet south
Crockett	South	East 35th to 118 feet west
Norwood	South	from the westerly leg of Parkview to 121 feet easterly therefrom".

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 9 R.T.E.C. 45, April 29

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO RECONSTRUCT A PORTION OF BIRCH AVENUE
AND CERTAIN OTHER STREETS

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary to reconstruct a portion of Birch Avenue and certain other streets as set out in Schedule "A" herein;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 25th day of February, 1986, in adopting Item 10 of the 6th Report of the Transport and Environment Committee, authorized the 1986 Reconstruction/Resurfacing Programme;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 11th day of March, 1986, in adopting Item 1 of the 7th Report of the Transport and Environment Committee, authorized the addition of Ferguson Avenue, between King Street and Main Street, to the 1986 Reconstruction/Resurfacing Programme;

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, had heard all persons who applied to be heard, whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of those streets set out herein in Schedule "A" be proceeded with.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.

3. This By-law comes into effect on the date of its passing.

PASSED this 29th day of April, A.D. 1986.

City Clerk

Mayor

(1986) 6 R.T.E.C. 10, February 25

(1986) 7 R.T.E.C. 1, March 11

SCHEDULE "A"

- (a) Birch Avenue (Little Birch) from Barton Street to the south end of Powell Park
- (b) Birmingham Street from Burlington Street to approximately 90m southerly.
- (c) Cope Street from the north end to Barton Street
- (d) East 17th Street from Brucedale Avenue to Fennell Avenue
- (e) Ferguson Avenue from King Street to Main Street
- (f) King William Street from John Street to Catharine Street
- (g) Park Row from Edinburgh Avenue to Cannon Street
- (h) Woodbine Crescent from York Boulevard to approximately 30m westerly

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF APRIL A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of APRIL A.D. 1986

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO EXTEND WEST PARK AVENUE, BY
INCORPORATING THEREIN PART 9, PLAN 62R-7497

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as West Park Avenue, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of West Park Avenue.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 29th day of April, A.D. 1986.

City Clerk

Mayor

(1986) 7 R.T.E.C. 10, March 11

SCHEDULE "A"

Part of the former portion of West Park Avenue
now closed by City of Hamilton By-law No. 81-174
registered as Instrument No. 188153 C.D.

Plan Number 904

designated as Part 9, Plan 62R-7497

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth (No. 62)

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE PART 1, PLAN 62R-5958
INTO THE ROAD ALLOWANCE OF LIMERIDGE ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Limeridge Road East by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Limeridge Road East.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 29th day of April, A.D. 19 86.

City Clerk

Mayor

(1986) 8 R.T.E.C. 19(c), March 25

SCHEDULE "A"

Part of Lot 11, Concession 6
geographic Township of Barton
being designated as Part 1, Plan 62R-5958
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Registry Division of Wentworth (No. 62)

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE PART 1, PLAN 62R-4703 AND
A PORTION OF BLOCK "GX", Plan M-135 INTO
ROCHELLE AVENUE

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to widen
a portion of the highway known as Rochelle Avenue,
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Rochelle Avenue.
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this 29th day of April, A.D. 1986.

City Clerk

Mayor

(1986) 8 R.T.E.C. 19(b), March 25

SCHEDULE "A"

FIRSTLY:

Part of Lot 5, Concession 7
geographic Township of Barton
being designated as Part 1, Plan 62R-4703
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Registry Division of Wentworth (No. 62)

SECONDLY:

Part of Parcel 1' Reserves, Section M-135
Part of Block "GX", Plan M-135
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Titles Division of Wentworth
More Particularly Described as Follows:

PREMISING that the bearings are derived from the western limit of said Block "GX" on a course of North sixteen degrees, thirty-six minutes, forty seconds East (N 16° 36' 40" E) and relating all bearings herein thereto.

COMMENCING at the northwestern angle of said Block "GX";
THENCE South sixteen degrees, thirty-six minutes, forty seconds West (S 16° 36' 40" W) along the western limit of Block "GX", thirty-four point four nine feet (34.49') to the southwestern angle thereof;

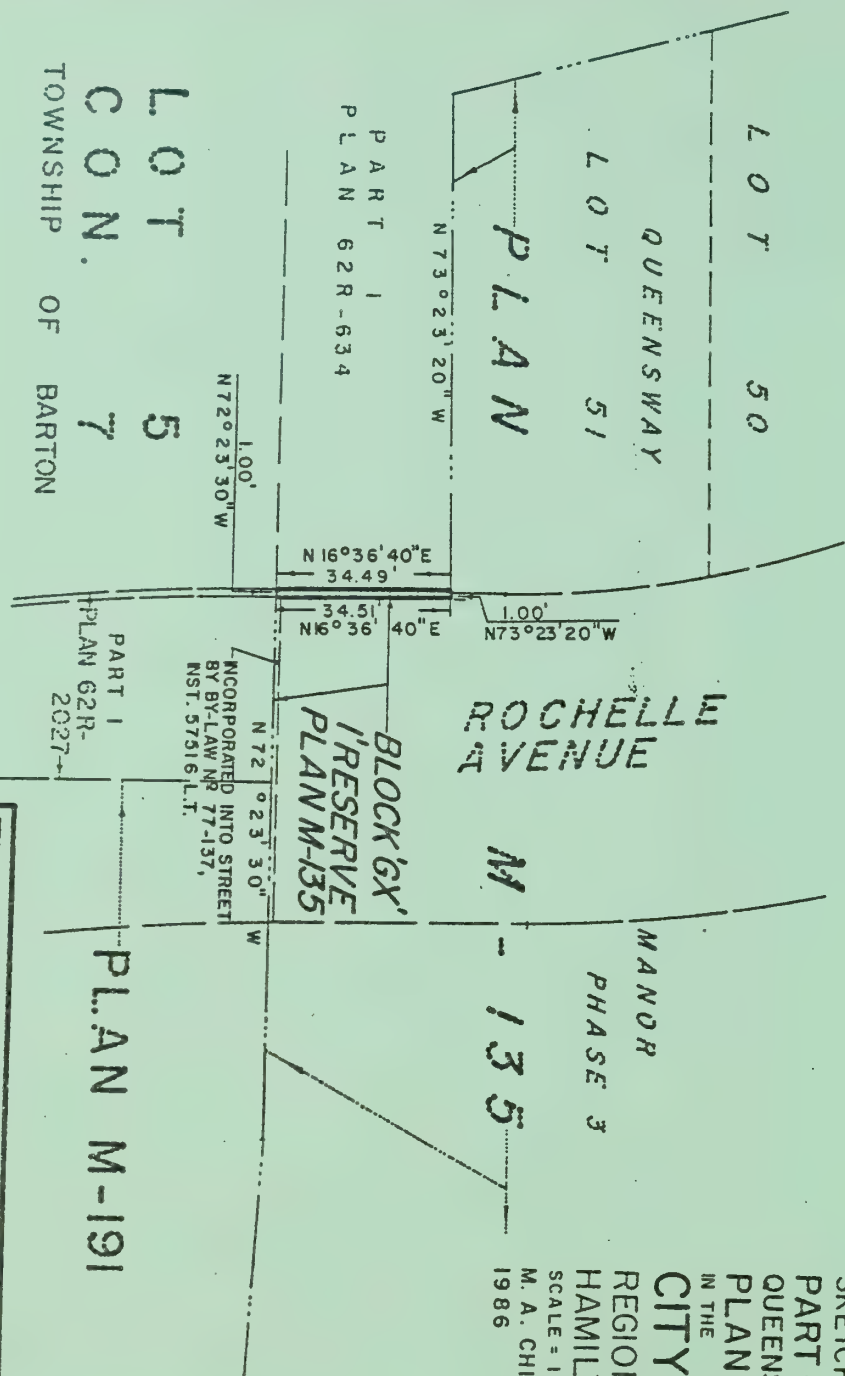
THENCE South seventy-two degrees, twenty-three minutes, thirty seconds East (S 72° 23' 30" E) along the southern limit of Block "GX", one point zero feet (1.0');

THENCE North sixteen degrees, thirty-six minutes, forty seconds East (N 16° 36' 40" E) to and along an eastern limit of Block "GX", thirty-four point five one feet (34.51') to a northeastern angle thereof;

THENCE North seventy-three degrees, twenty-three minutes, twenty seconds West (N 73° 23' 20" W) along a northern limit of Block "GX", one point zero feet (1.0') to the point of commencement.

The above-described parcel being shown in heavy outline on Plan No. RA-H-326 Surveys hereto attached.

SKETCH TO ILLUSTRATE DESCRIPTION OF
 PART OF BLOCK 'GX' - I' RESERVE
 QUEENSWAY MANOR PHASE 3
 PLAN M-135
 IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF
 HAMILTON-WENTWORTH
 SCALE = 1 INCH = 30 FEET
 M. A. CHIDLEY, O.L.S.
 1986



LOT 5
 CON. 7
 TOWNSHIP OF BARTON

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF LOT 51 ON A COURSE OF N 73° 23' 20" W AS SHOWN ON PLAN M-135.

THIS IS NOT A PLAN OF SURVEY O.REG. 564/80 S.21 PART

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
 DEPARTMENT OF ENGINEERING

SURVEY BY COMP. FIELD BOOK FILE NO.
 DRAWN BY T.H. REF. DWG. SS-1409

DATE MARCH 1986
 CHECKED BY H.S.

APPROVED COMMISSIONER OF ENGINEERING

REGIONAL SURVEYOR
 PLAN NO. RA-H-326 SURVEYS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE INTO THE ROAD ALLOWANCE
OF REXFORD DRIVE, PART 1, PLAN 62R-7846,
PART 2, PLAN 62R-4029 AND BLOCK 57,
PLAN 62M-384

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to widen and extend
a portion of the highway known as Rexford Drive,
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Rexford Drive.
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this 29th day of April, A.D. 19 86.

City Clerk

Mayor

(1985) 18 R.T.E.C. 20, October 29

SCHEDULE "A"

FIRSTLY:

Part of Lot 8, Concession 7
geographic Township of Barton
being designated as Part 2, Plan 62R-4029
and Part 1, Plan 62R-7846
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Registry Division of Wentworth (No. 62)

SECONDLY:

Parcel Reserves-1, Section 62M-384
being all of Block 57, Plan 62M-384
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Titles Division of Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO EXTEND LANDRON AVENUE BY INCORPORATING
THEREIN PART 1, PLAN 62R-7402 AND PART 12,
PLAN 62R-6447

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to extend
a portion of the highway known as Landron Avenue
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Landron Avenue.
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this 29th day of April, A.D. 1986.

City Clerk

Mayor

(1985) 18 R.T.E.C. 22, October 29

SCHEDULE "A"

FIRSTLY:

Part of Parcel 1' Reserves-1, Section M-207
being part of Block "DX", Plan M-207
being designated as Part 12, Plan 62R-6447
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Titles Division of Wentworth

SECONDLY:

Part of Parcel 3-26, Section Bar. 6
being part of Lot 3, Concession 6
geographic Township of Barton
being designated as Part 1, Plan 62R-7402
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Land Titles Division of Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 37

Respecting:

LANDS LOCATED ON THE WEST SIDE OF ANCHOR ROAD,
SOUTH OF STONE CHURCH ROAD EAST

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 37 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1985) 8 R.P.D.C. 5(a)(i), April 8
City Initiative 86-B

The following text, together with attached Schedule "B", constitute Amendment No. 37.

PURPOSE:

To establish a site specific policy to permit the establishment of an Observation and Detention Home.

LOCATION:

The lands affected by this Amendment are on the west side of Anchor Road, south of Stone Church Road East.

BASIS:

The Amendment will:

- permit the establishment of an Observation and Detention Home in the East Mountain Industrial Park; and,
- provide the basis for rezoning the affected lands.

ACTUAL CHANGES

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.30.

"Notwithstanding the permitted uses set out in Subsection A.2.3 and Policy A.2.9.3.9, for those lands within the area shown on Schedule "B" as SPECIAL POLICY AREA 35, the establishment of an Observation and Detention Home will be permitted."

2. The following be added to Schedule "B" - SPECIAL POLICY AREAS:

- Special Policy Area 35; and,
- "Area 35 refer to Policy A.2.9.3.30" in the legend,
as shown on the attached Schedule "B" to this Amendment.

IMPLEMENTATION:

A Zoning By-law Amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No.
of A.D. 1986.


passed on the day

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

to the
official plan
for the
city of hamilton

 legend
special policy area 35
refer to policy A-2-9-3-30



legend



- Refer to Schedule B-1 for Special Policy Areas in the Downtown

to the official plan
for
the city of hamilton

may 1982

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 110 LIMERIDGE ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding clauses (f) and (h) of subparagraph 2(2)H(iii) of By-law No. 6593, the following,

(i) INCIDENTAL and SECONDARY USE shall not be prohibited as a home occupation:

1. Hairdressing;

(b) the hairdressing home occupation shall,

(i) be carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and

(ii) provide and maintain not more than one comb-out centre and one hair styling sink.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" district provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-121a".

4. Sheet No. W-9A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-121a".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

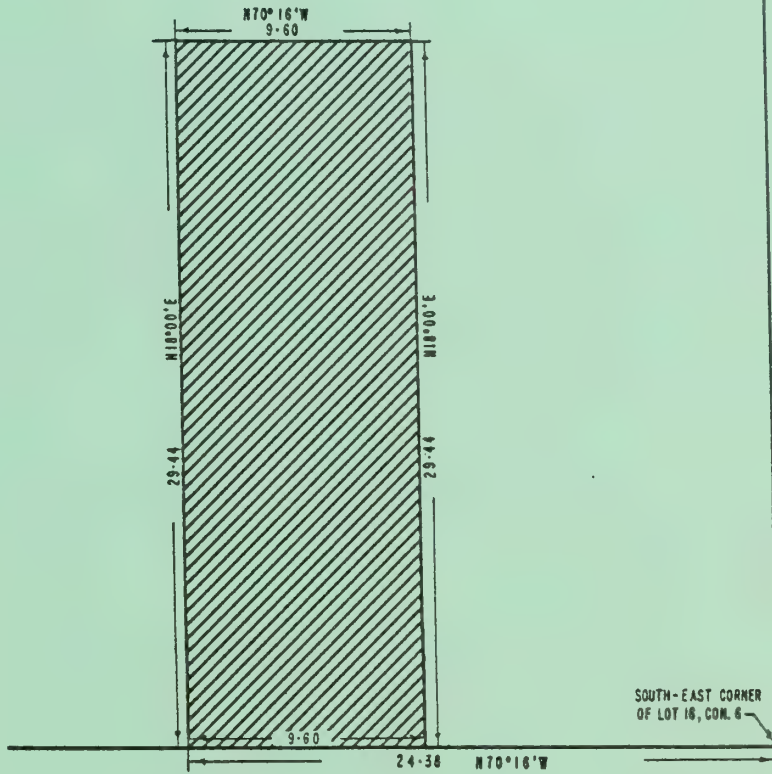
(1986) 7 R.P.D.C. 3, March 25
Jutta Custodio, Owner
ZA-86-07

LOT 16, CON. 6

STREET

FIFTH

WEST



LIMERIDGE

ROAD

WEST

ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 86-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW
NO. 86-

North 	Scale 1: 240'	Reference File No. ZA 86-07
	Date 86-03-18	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA NORTH OF LIMERIDGE ROAD EAST,
AND WEST OF UPPER SHERMAN AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27A and E-27B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

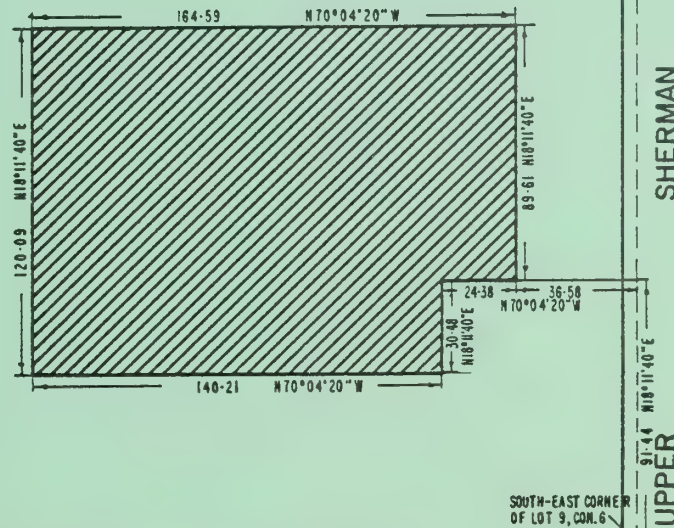
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

LOT 9, CON. 6



AVENUE

LAPP ST.

SHERMAN

UPPER

LIMERIDGE

ROAD

EAST

SOUTH-EAST CORNER
OF LOT 9, CON. 6

ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO.86-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "AA"(AGRICULTURAL)
DISTRICT TO "C"(URBAN PROTECTED RESIDENTIAL,
ETC.) DISTRICT.

North



Scale
1:2000

Date
86-03-19

Reference File No.
ZA 85-98

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF
STONE CHURCH ROAD EAST AND ELEANOR AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 2,

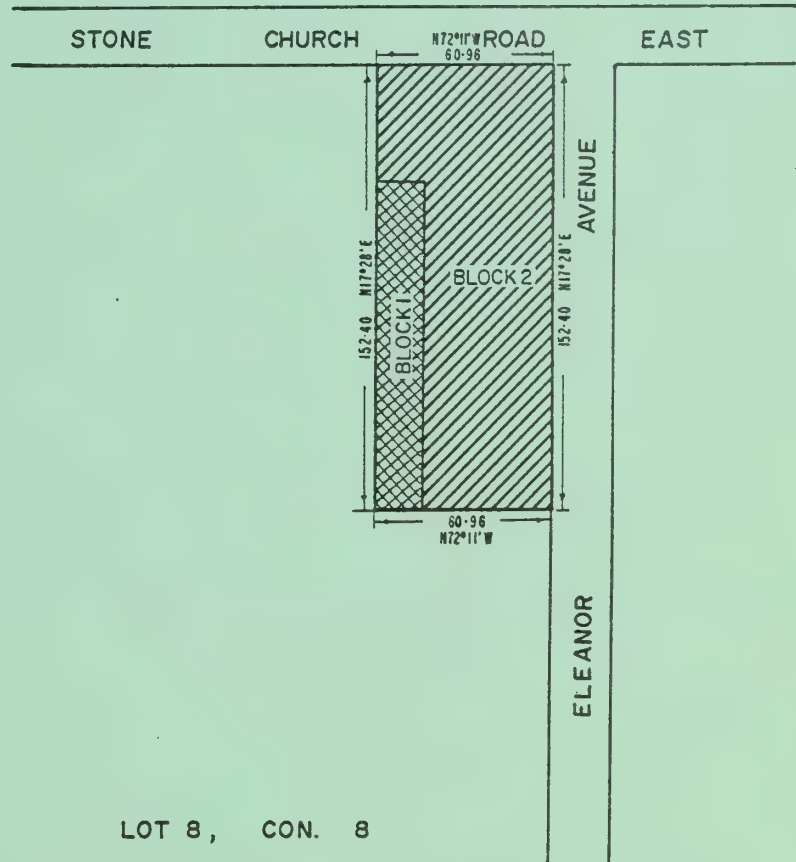
the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



LOT 8, CON. 8

ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"

MAP FORMING PART OF
BY - LAW NO.86-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

- BLOCK 1** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "R-4" (SMALL LOT SINGLE-FAMILY, DETACHED) DISTRICT.
- BLOCK 2** CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

North



Scale

1:2000

Reference File No.

ZA 85-103

Date

86-03-20

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1003 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

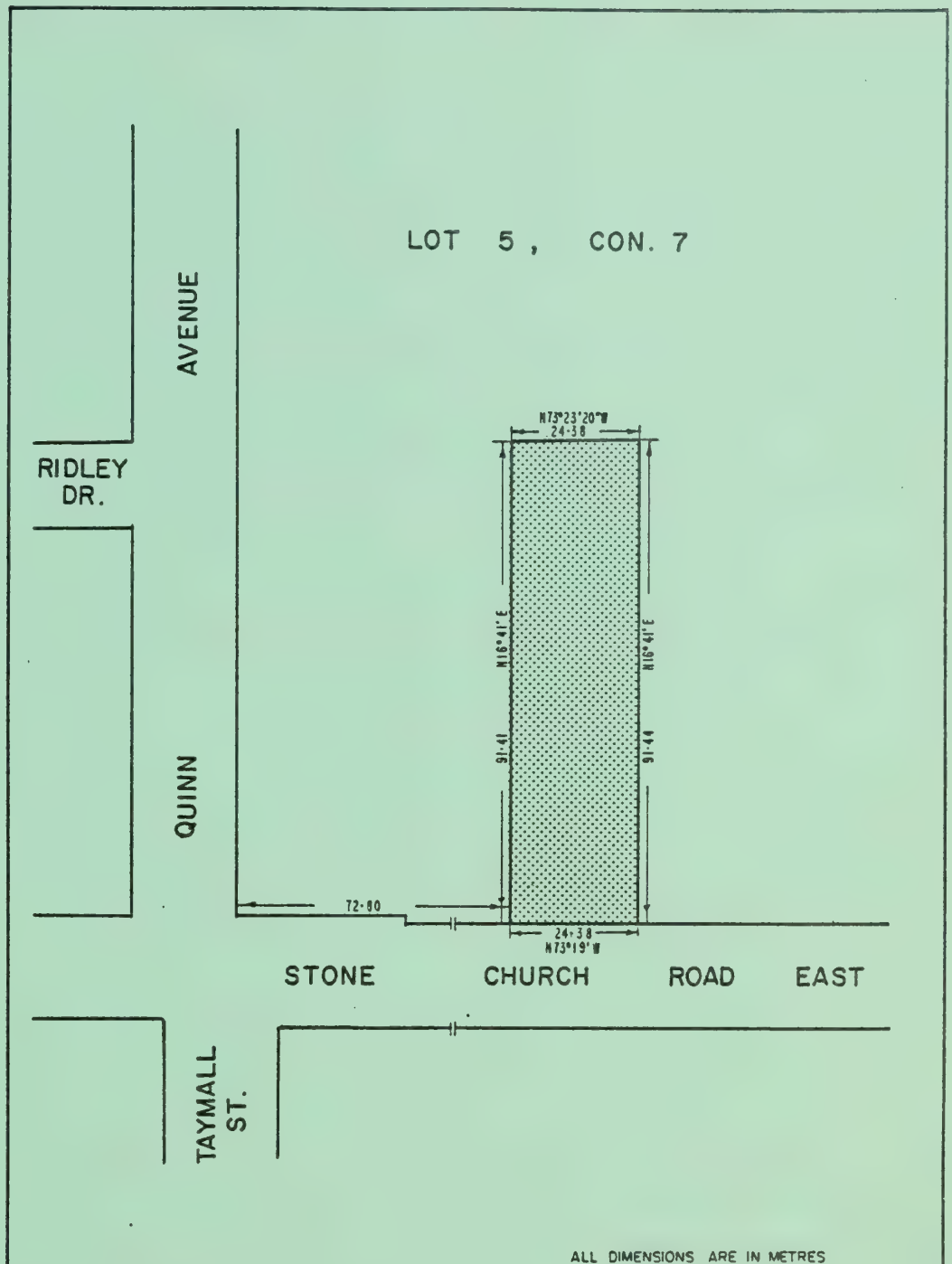
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 86--
PASSED THE _____ DAY OF _____

Clerk

Mayor

**CITY OF HAMILTON
SCHEDULE "A"**

MAP FORMING PART OF
BY-LAW NO. 86-

TO AMEND BY - LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "AA" (AGRICULTURAL)
DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL,
ETC.) DISTRICT.

North



Scale

1:1000

Reference File No.

ZA 86-05

Date

86-03-21

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 87 LOCKE STREET SOUTH
(Block "1") and NO. 342 JACKSON STREET WEST (Block "2")

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) subclause (c) of clause 14(3)
(iii) of By-law No. 6593 shall
not apply.

2. (1) Clause 2(a) of By-law No. 84-56, passed and in force on the 13th day of March, 1984, is amended by striking out "1.5 metres" in the first line and inserting in lieu thereof "1.0 metre".

(2) Section 2 of By-law No. 84-56 is amended by adding thereto the following clause:

- (b) notwithstanding clause 13C(1)
(ii) of By-law No. 6593, the
ambulance service building
existing on the day of the
passing of this by-law loca-
ted on the land comprised in
Block 1 shall not be prohib-
ited from expansion by not
more than 2.5 metres onto
the land comprised in Block
2.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirement referred to in section 1.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-855a".

5. Sheet No. W-13 of the District Maps is amended by marking the land referred to in sections 1 and 2 of this by-law, "S-855a".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

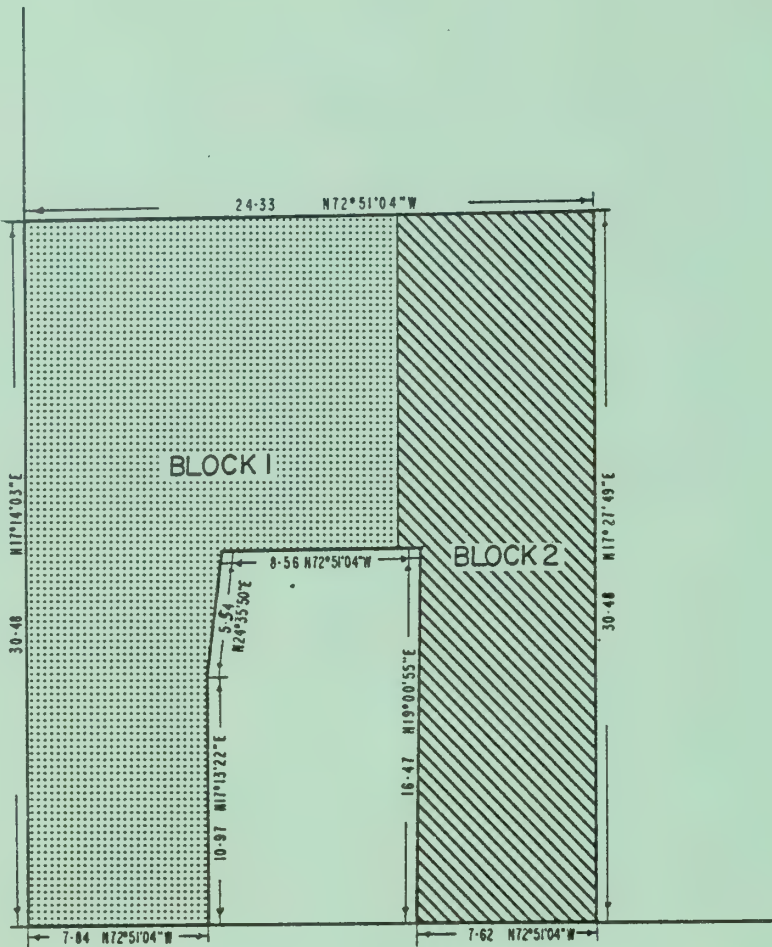
Mayor

(1986) 7 R.P.D.C. 5(B), March 25
501781 Ontario Limited, operating as
Fleetwood Ambulance, Owner
Amended ZA-86-04

SOUTH

STREET

LOCKE



JACKSON STREET WEST

ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1



MODIFICATION TO THE "H" (COMMUNITY SHOPPING
AND COMMERCIAL, ETC.) DISTRICT REGULATIONS.

BLOCK 2



FURTHER MODIFICATIONS TO THE "G-3" (PUBLIC
PARKING LOTS) DISTRICT REGULATIONS.

North



Scale

1:250

Reference File No.

ZA86-04

Date

86-03-21

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

A Board of Management

For:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 83-308, passed on the 30th day of November, 1983, designated as an improvement area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an Improvement Area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the Improvement Area designated by By-law No. 83-308, as established by By-law No. 84-38, passed on the 14th day of February, 1984, is continued.

2. The Board of Management shall be composed of,

- (a) members of council who are the Ward Aldermen in which the Improvement Area is located and whose names are set out in Schedule "A" hereto annexed;
- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

3. (1) The Board of Management continues to be and is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the Improvement Area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the Improvement Area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

4. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

5. By-law No. 84-38 is repealed.

PASSED this day of A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 86-

1. John Gallagher.
2. Henry Merling.

SCHEDULE "B"

To By-law No. 86-

Ross Somerville	Lockhart's Ladies' Wear
Paul Ford	Don Ford and Associates
Ray Devries	Ray Devries Real Estate & Insurance
Joe Marion	Wilf's Hardware
Ed Horyn	Walt's Variety
Stew Millar	New Dundee Pie Shoppe
Elliot Raphael	So-Low Sales
Norm Woolcott	Woolcott's Shoes
Pat Wright	Pat Wright and Sons Catering

SCHEDULE "C"

To

By-law No.

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, Section 217

Term of Office

(7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).

Vacancy

(8) Where a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (6) to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.

Idem

(9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.

Estimates

(10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisition upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.

Expenditure
of moneys

(11) The Board of Management shall not expend any moneys not included in the estimates approved by the council or in a reserve fund established under section 165.

Borrowing pro-
hibited restric-
tions on incur-
ring indebtedness

(12) The Board of Management shall not borrow money and, without the prior approval of the council, it may not incur any indebtedness extending beyond the current year.

Assent of electors,
etc.
R.S.O. 1980,
c. 347

(13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.

Annual Report

(14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.

Auditor

(15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.

Dissolution
of Board

(16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.

The Corporation of the City of Hamilton

BY-LAW NO.

To Repeal:

To:

RE-APPLY PART LOT CONTROL TO PART OF "MOHAWK GARDENS - PHASE 2"
REGISTERED PLAN OF SUBDIVISION

WHEREAS By-law No. 81-158, passed on the 19th day of May, 1981 removed certain lots in the "Mohawk Gardens - Phase 2" Registered Plan of Subdivision from part lot control for the purpose of allowing registration of maintenance easements homes;

AND WHEREAS the owner and his agent have not objected to reimpose part lot control of the lands;

AND WHEREAS subsection 7 of section 49 of The Planning Act, 1983 provides that By-law No. 81-158 may be repealed, and when the repealing by-law is registered in the proper registry or land titles office in accordance with subsection 7 of the said section, part lot control applies in accordance with subsection 7 of the said section.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 81-158 is repealed
2. The City Clerk is hereby authorized and directed to register a certified true copy or duplicate of this by-law in the proper registry or land titles office.

PASSED this day of A.D. 198 .

City

Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. #86-

To Remove

PART OF "OAKLAND PARK EXTENTION No. 4" REGISTERED PLAN OF SUBDIVISION
FROM PART LOT CONTROL

WHEREAS subsection 7 of section 49 of The Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...

AND WHEREAS subsection 5 of section 49 of The Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of The Planning Act was delegated to the Council of the Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS it is desirable to exempt certain lands from part-lot control.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of The Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. . Lots 1 to 4, inclusive on Plan M-428, registered on the 23rd day of September, 1985.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(198) R.P.D.C.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 432 to 440 MAIN STREET WEST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall not be prohibited:

1. A coin-operated manual car wash having not more than 6 bays or stalls.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirement referred to in section 1.

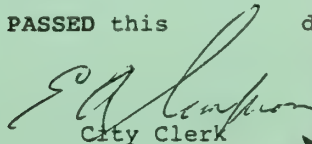
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-935".

4. Sheet No. W-12 of the District Maps, is amended by marking the land referred to in section 1 of this by-law, "S-935".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this _____ day of _____

A.D. 1985.


City Clerk


Mayor

(1985) 25 R.P.D.C. 5(A), September 24
Mor Car Wash Limited, Owner
ZA-85-60



ALL DIMENSIONS ARE IN METRES



THIS IS SCHEDULE "A" TO BY-LAW No.85-
PASSED THE DAY OF

[Signature]
Clerk

[Signature]
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW No. 85-

TO AMEND BY-LAW No.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED BY
BY-LAW No. 85-

North



Scale
N. T. S.

Reference File No.
ZA85-60

Date
85-09-27

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 432 to 440 MAIN STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

85. Land located at Municipal Nos. 432 to 440 Main Street West, shown on Appendix 85 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 85.

PASSED this

day of

A.D. 1985.


City Clerk


Mayor

(1985) 25 R.P.D.C. 5B, September 24
Mor Car Wash Limited, Owner
ZA-85-60



ZA85-60

THIS IS SCHEDULE "A" TO BY-LAW No.85-
PASSED THE DAY OF

[Signature]
Clerk

[Signature]
Mayor

LEGEND



LANDS DESIGNATED UNDER THIS BY-LAW AS AN AREA OF
SITE PLAN CONTROL PURSUANT TO SECTION 40 OF THE
PLANNING ACT.

APPENDIX 85 TO BY-LAW No.79-275

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE WESTDALE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST BETWEEN THE AREA OF
THE INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND
EXTENDING TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the council may specify by by-law, the council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting section 14 of the Fourth Report of the Planning and Development Committee on February 11, 1986 approved the amount of \$13,000.00 for 1986, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-98

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$13,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-30 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 86-

- 1) Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$585,410.00
- 2) The Mill Rate for the special charge is calculated
by: 22.2067
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
- 3) Approved estimate for 1986 \$ 13,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE JAMESVILLE BUSINESS IMPROVEMENT AREA
GENERALLY COMPRISED OF
LANDS ON THE EAST AND WEST SIDES OF JAMES STREET NORTH
BETWEEN THE RAILWAY TRACKS ON THE NORTH
AND KING WILLIAM STREET ON THE SOUTH

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the council may specify by by-law, the council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting section 10 of the Second Report of the Planning and Development Committee on January 14, 1986 approved the amount of \$49,000.00 for 1986, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-74.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$49,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 85-198 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 86-

- | | |
|---|----------------|
| 1) Total assessed value of all the real property in the area used as the basis for computing business assessment. | \$1,436,513.00 |
| 2) The Mill Rate for the special charge is calculated by: | 34.1104 |
| a) dividing the approved estimates of the Board of Management by | |
| b) the total assessed value and | |
| c) multiplying the result by 1,000 | |
| 3) Approved estimate for 1986 | \$ 49,000.00 |

The Corporation of the City of Hamilton

BY-LAW NO.

To Levy the Special Charge for 1986 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151

WHEREAS, pursuant to Section 217(10) of The Municipal Act, R.S.O. 1980, Chapter 302, the Board of Management for the Improvement Area has submitted Estimates for the year 19 ;

AND WHEREAS a Special Charge is to be levied to raise the sum equal to the total of the Estimates,

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1986 in the amount of \$ 125,000 are hereby approved.
2. In order to raise the said \$125,000 , there is hereby levied a mill rate of 20.9841 as a Special Charge on the persons in the Area assessed for business assessment, in accordance with By-law 82-152, as follows:
 - (1) The assessed value of all the real property in the Area used as the basis for computing business assessment, (known herein as "the Total Assessed Value") is \$6,955,172
 - (2) The assessed value of the real property that is used as the basis for computing the business assessment of City Parking Holdings Limited with respect to the hotel business known as "The Royal Connaught Hotel" at 82 King Street East is \$ 677,924
 This is reduced by two-thirds 451,972
 to produce the Reduced Assessed Value of that business: \$ 225,952
 - (3) The assessed value of the real property that is used as the basis for computing the business assessment of Commonwealth Holiday Inn of Canada Limited with respect to the hotel business known as "The Holiday Inn" at 150 King Street East is \$ 819,450
 This is reduced by two-thirds 546,303
 to produce the Reduced Assessed Value of that business: \$ 273,147
 - (4) "The Reduced Total Assessed Value" is \$ 5,956,897
 $\$ 6,955,172 - (451,972 + 546,303) :$
 - (5) The Mill Rate for the Special Charge is calculated by:
 - (a) dividing the approved estimates of the Board of Management, \$125,000

(b) by the Reduced Total Assessed
Value, \$5,956,897 and

(c) multiplying the result by 1,000:

3. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this

day of

A.D. 19

City Clerk

Mayor

(1986) 2 R.P.D.C. 11, January 14

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA
GENERALLY COMPRISED OF
LANDS COVERING CONCESSION STREET BETWEEN EAST 18TH
STREET AND EAST 25TH STREET

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the council may specify by by-law, the council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting section 21 of the Eighth Report of the Planning and Development Committee on April 8, 1986 approved the amount of \$12,000.00 for 1986, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$12,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 83-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 86-

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$718,547.00
2. The Mill Rate for the special charge is calculated
by: 16.7004
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
- 3) Approved estimate for 1986 \$ 12,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET EAST AND
EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the council may specify by by-law, the council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting section 15 of the Fourth Report of the Planning and Development Committee on February 11, 1986 approved the amount of \$75,000.00 for 1986, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-99.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$75,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-31 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 86-

- 1) Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$1,489,032.00
- 2) The Mill Rate for the special charge is calculated
by: 50.3683
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000.
- 3) Approved estimate for 1986 \$ 75,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Street Vendors By-law No. 85-66

Respecting:

**REMOVAL OF STANDS; PRIORITY OF LOCATIONS;
ELIMINATION OF SERVICES; CANCELLATION OF PERMIT**

WHEREAS By-law No. 85-66, passed on the 9th day of April, 1985, as amended by By-law No. 85-121, passed on the 25th day of June, 1985 and By-law No. 85-181, passed on the 27th day of August, 1985, provides permission to Street Vendors on designated highways;

AND WHEREAS it is intended to further amend By-law No. 85-66.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Clauses 1(n), 1(o) of By-law No. 85-66 are repealed.

(2) Clause 1(q) of the said by-law is amended by striking out "or provide a service" at the end thereof.

2. (1) Subsection 2(1) of the said by-law is repealed and the following substituted therefor:

(1) Every applicant shall attend at the office of the Issuer of Licences and make and file an application in FORM 1 for Street Vendor's Agreement in FORM 2 and for a Permit in FORM 4 and pay a fee or other charge per annum.

(2) Section 2 of the said by-law is amended by adding thereto the following subsection:

(3) No application for a stand shall be received after 30 days from the date of a notice appearing in The Hamilton Spectator.

3. (1) Subsection 3(1) of the said by-law is amended by adding at the beginning thereof, "Except as provided in paragraph 4 of subsection 4(1),".

(2) Subsection 3(2) of the said by-law is amended by adding at the beginning thereof, "Except as provided in paragraph 4 of subsection 4(1),".

4. (1) Subsection 6(1) of the said by-law is repealed and the following substituted therefor:

(1) Notwithstanding any application made for a stand and except as provided in subsection 2, no Agreement shall be entered into and no Permit issued except in the following order:

1. An Agreement may be entered into and a Permit issued to an applicant for a stand carrying on the closest similar type of existing permanent business that is the least distance from the location of the stand proposed by any other applicant in the city downtown.
2. Where there is no applicant under paragraph 1, an Agreement may be entered into and a Permit issued for a stand to any applicant carrying on the closest similar type of existing permanent business that is the least distance from the location of the stand proposed by any other applicant in the city downtown.
3. Where there is no applicant under paragraphs 1 and 2, an Agreement may be entered into and a Permit issued to any resident of the city.
4. Where there is no applicant under paragraphs 1, 2 and 3, an Agreement may be entered into and a Permit issued to non-residents of the city.

5. Section 7 of the said by-law is repealed.

6. Section 10 of the said by-law is amended by striking out "or services" in the first line.

7. The said by-law is amended by adding thereto the following section:

11a. (1) Where a street vendor has not commenced business by July 1 of the current year, the City may cancel the Agreement and cancel the Permit and refund any fee or other charge.

(2) Upon cancellation of the Agreement and the permission to operate a stand, the City may enter into an Agreement and issue a Permit to any other applicant.

8. Section 14 of the said by-law is amended by striking out "or services" at the end thereof.

9. (1) Clauses (a) and (b) of paragraph 7 of section 15 of the said by-law are relettered "(b)" and "(c)", respectively.

(2) Paragraph 7 of section 15 of the said by-law is amended by adding thereto the following clause:

(a) upon ceasing to carry on business for a period of not more than two weeks;

10. Section 16 of the said by-law, as amended by section 3 of By-law No. 85-181, is repealed.

11. Section 18 of the said by-law is amended by striking out "or services" at the end thereof.

12. Section 20 of the said by-law is amended by striking out "sections 15 or 16" in the second line and inserting in lieu thereof "section 15".

13. Paragraph 2 of section 22 of the said by-law is repealed.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 5 R.L.C. 10, February 25

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Traffic By-law No. 66-100

Respecting:

PARKING OR LEAVING OF MOTOR VEHICLES
IN UNASSUMED LANES OR ALLEYS

WHEREAS The City of Hamilton Act, 1986, Chapter
Pr1, S.O. 1986, provides as follows:

1. (1) The council of the Corporation
may pass by-laws,
 - (a) prohibiting the parking or leaving
of motor vehicles on a lane or alley
that has not been assumed by the
Corporation and erecting signs in-
dicating the parking prohibition;

AND WHEREAS it is intended to amend Traffic
By-law No. 66-100, as amended, to include provisions
relating to the aforesaid City of Hamilton Act, 1986
for ease of administration in respect of parking or
leaving of motor vehicles.

NOW THEREFORE the Council of The Corporation
of the City of Hamilton enacts as follows:

1. Subsection 1(1) of By-law No. 66-100 is amen-
ded by adding thereto the following clause:

- (t) "unassumed lane or alley" means
a lane or alley that has not
been assumed by the city.

2. Section 2 of the said by-law is repealed and
the following substituted therefor:

2. The provisions of this by-law
apply to,

- (a) public highways within
the limits of the City
of Hamilton;
 - (b) public lanes or alleys
that have been estab-
lished by by-law of the
council;
 - (c) unassumed lanes or alleys
in respect of the parking
of motor vehicles.

3. Section 35 of the said by-law is amended by adding thereto the following clause:

(ia) Unassumed Lanes or Alleys. In any unassumed lane or alley, provided that a sign has been erected indicating the parking prohibition.

4. (1) The said by-law is amended by striking out "Tagging - Voluntary Payment Out of Court" after subsection 42(9) and inserting in lieu thereof the following:

"PART VII

Tagging - Voluntary Payment Out of Court - Penalties"

(2) The said by-law is amended by adding immediately following section 44, the following:

"PART VIII

Contravention of By-law Provisions - Fines"

PASSED this day of A.D. 1986.

City Clerk Mayor

(1986) 8 R.L.C. 21(b), April 29

The Corporation of the City of Hamilton

BY-LAW NO. 86-

Respecting:

DUMPING OR STORAGE OF OBJECTS AND REMOVAL OF DEBRIS
FROM UNASSUMED LANES OR ALLEYS

WHEREAS The City of Hamilton Act, 1986, Chapter
Pr1, S.O. 1986, provides as follows:

1. (1) The Council of the Corporation
may pass by-laws,
 - (b) prohibiting the dumping or
storage of objects on a
lane or alley that has not
been assumed by the Corp-
oration and erecting signs
indicating the prohibition;
 - (c) authorizing the removal from
a lane or alley that has not
been assumed by the Corpora-
tion and disposal by the Corp-
oration of any object that
appears to a by-law officer
to be abandoned, including
building materials, machinery,
trailers, boats and vehicles
if signs are erected warning
of the removal and disposal;
and
 - (d) authorizing the removal and
disposal by the Corporation
of debris, leaves, weeds,
trees and snow from a lane
or alley that has not been
assumed by the Corporation.
- (2) The expenditure of public money by
the Corporation on an unassumed lane or alley
does not constitute assumption of the lane or
alley for public use by the Corporation.
- (3) No omission of the performance of
the activities authorized under subsection (1)
shall directly or indirectly impose on the
Corporation any duty or liability or finan-
cial obligation by reason thereof.

AND WHEREAS it is intended to give effect to the
said provisions.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) "city" means The Corporation of the
City of Hamilton;
 - (b) "trailer" means a vehicle that is at
any time drawn upon a highway or lane
or alley by a motor vehicle;

- (c) "unassumed lane or alley" means a lane or alley that has not been assumed by the city;
- (d) "vehicles" includes operative motor vehicle, inoperative motor vehicle and any vehicle drawn, propelled or driven by any kind of power including muscular power.

2. No person shall dump or store objects on unassumed lanes or alleys where signs have been erected indicating a dumping or storing prohibition.

3. (1) Where an object appears to a by-law enforcement officer to be abandoned in an unassumed lane or alley and if a sign is erected warning of removal and disposal of objects, the by-law enforcement officer may cause the object to be removed and, except as provided in subsection 2, the corporation may dispose of the object in such a manner and at such time as it determines.

(2) Where the corporation removes objects that are trailers, boats and vehicles, the objects shall be taken or placed or stored in a suitable place and all costs and charges for removing, caring and storing thereof, if any, may be recovered by selling the objects by auction upon giving one week's notice by advertisement in a newspaper having general circulation in the city setting forth a description of the object and the location where it appeared to have been abandoned, the time and place of the sale and the name of the auctioneer.

(3) Where pursuant to an advertisement and prior to the auction a person claims the object and the claim is satisfactory to the corporation, the corporation may deliver the object to the person upon payment of all costs, charges and expenses and upon providing a release satisfactory to the corporation.

(4) Where an object has been disposed of by auction, the corporation shall apply the proceeds of the sale in payment of all costs and charges and costs of advertising and sale and any other expenses incurred, and may upon application made within two weeks of the auction pay any surplus to the applicant determined by the corporation to be entitled thereto, and upon the applicant providing a release satisfactory to the corporation.

(5) Where no application has been made within the time specified in subsection 4 or where no release satisfactory to the corporation is provided, surplus funds may be retained by the corporation.

4. The corporation may remove and dispose of debris, leaves, weeds, trees and snow from an unassumed lane or alley.

5. Every person who contravenes section 2 is guilty of an offence and upon conviction is liable to a fine of not more than \$2,000.00

PASSED this day of A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

TO FIX THE RATES OF TAXATION
FOR MUNICIPAL PURPOSES FOR THE YEAR 1986

WHEREAS it is necessary that the Estimates, as prepared by the Finance Committee for the year 1986 which set forth the revenues of The Corporation of the City of Hamilton, and the expenditures of The Corporation of the City of Hamilton, be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1986,

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimates,

(a) of the revenues

(b) of the expenditures,

of The Corporation of the City of Hamilton for the year 1986 as prepared by the Finance Committee, are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$907,379,447.00, of which \$512,687,299.00 is Residential assessment and \$394,692,148.00 is Non-residential assessment, the following rates of taxation:

(1) For general municipal purposes 93.3512 mills
producing \$ 84,704,980.00

(2) The amount to be levied and raised against "residential" assessments in the amount of \$512,687,299.00 determined as required by The Municipal Act shall be reduced by \$7,179,000.00 or 14.0027 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975 7,179,000.00

\$ 77,525,980.00

3. The rate to be levied against "residential" assessments determined as required by The Municipal Act for Municipal purposes is 79.3485 mills on the dollar.

4. The rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Municipal purposes is 93.3512 mills on the dollar.

5. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this

day of

A.D., 1986.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1986

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for \$67,245,351.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1986.

WHEREAS after the deduction of \$5,249,040.00 of 1986 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1986 Estimates, and the addition of the 1985 underlevy in the amount of \$63,350.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of \$62,059,661.00 for the year 1986.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1986 levy, in the amount of \$67,245,351.00 is hereby adopted as part of the 1986 Estimates of The Corporation of the City of Hamilton.
2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$907,379,447.00 of which \$512,687,299.00 is Residential assessment and \$394,692,148.00 is Non-residential assessment, the following rates of taxation:
 - (1) for Regional purposes 74.7278 mills producing .. \$67,806,471.00
 - (2) the amount to be levied and raised against "residential" assessments in the amount of \$512,687,299.00 determined as required by The Municipal Act shall be reduced by 11.2092 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975 \$ 5,746,810.00

\$ 62,059,661.00
 - (3) the rate to be levied against "residential" assessments determined as required by The Municipal Act for Regional purposes is 63.5186 mills on the dollar
 - (4) the rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Regional purposes is 74.7278 mills on the dollar
 - (5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1986.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 86-

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1986

WHEREAS it is necessary that the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, as submitted to the Finance Committee of the City of Hamilton, for school purposes, be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1986 for school purposes.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows,

1. The estimates

(a) of the revenues

(b) of the expenditures,

of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for the year 1986, as submitted to the Finance Committee, and the underlevy in 1985 in the amount of \$108,759.00 are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$907,379,447.00, of which \$512,687,299.00 is Residential assessment and \$394,692,148.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School Purposes on all rateable property in the amount of \$749,728,832.00 of which \$377,590,982.00 is Residential assessment and \$372,137,850.00 is Non-residential assessment, liable for Public School rates 80.5564 mills producing \$ 60,395,480.00

(b) for Separate School purposes 80.5564 mills on all rateable property in the amount of \$157,650,615.00, of which \$135,096,317.00 is Residential assessment and \$22,554,298.00 is Non-residential assessment, liable for Separate School rates and which rate was imposed thereon by the Hamilton-Wentworth Roman Catholic Separate School Board and which rate the said Board has requested the Council to levy producing 12,699,770.00

(c) for Secondary School purposes on all rateable property in the amount of \$907,379,447.00, of which \$512,687,299.00 is Residential assessment and \$394,692,148.00 is Non-residential assessment, liable for Secondary School rates 50.8781 mills producing 46,165,750.00

\$119,261,000.00

3. The amount to be levied and raised against assessments in the amount of \$377,590,982.00 determined as required by The Municipal Act shall be reduced by \$4,562,620.00 or 12.0835 mills which is the amount of the estimated revenue from payments to be received by the Board of Education of The Corporation of the City of Hamilton in 1986 under The Education Act, 1974 4,562,620.00

4. The amount to be levied and raised against assessments in the amount of \$135,096,317.00 determined as required by The Municipal Act shall be reduced by \$1,632,440.00 or 12.0835 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1986 under the Education Act, 1974 \$ 1,632,440.00
5. The amount to be levied and raised against assessments in the amount of \$512,687,299.00 determined as required by The Municipal Act shall be reduced by \$3,912,670.00 or 7.6317 mills which is the amount of the estimated revenue from payments to be received by The Board of Education of The Corporation of the City of Hamilton in 1986 under The Education Act, 1974 3,912,670.00
\$109,153,270.00

6. The Education rate to be levied against "residential" assessment determined as required by The Municipal Act:
 - (a) by Public School supporters is 111.7193 mills on the dollar, and
 - (b) by Separate School supporters is 111.7193 mills on the dollar.
7. The Education rate to be levied against "non-residential" assessments determined as required by The Municipal Act:
 - (a) by Public School supporters is 131.4345 mills on the dollar, and
 - (b) by Separate School supporters is 131.4345 mills on the dollar.
8. The By-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1986.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 86-

TO FIX THE TOTAL RATES OF TAXATION FOR
MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1986

WHEREAS the Council of The Corporation of the City of Hamilton has approved By-laws 86- , 86- and 86- being By-laws to impose rates of taxation for the year 1986 for:

- (a) Municipal purposes
- (b) Regional purposes
- (c) Education purposes;

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments determined as required by The Municipal Act:
 - (a) by Public School supporters is 254.5864 on the dollar, and
 - (b) by Separate School supporters is 254.5864 on the dollar.
2. The total rate to be levied against "non-residential" assessments determined as required by The Municipal Act:
 - (a) by Public School supporters is 299.5135 on the dollar, and
 - (b) by Separate School supporters is 299.5135 on the dollar.
3. This By-law comes into force on the date on which it is enacted by The Council of The Corporation of the City of Hamilton.

PASSED this day of

A.D., 1986.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 86

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 161 of The Municipal Act, R.S.O. 1980, Chap. 302, empowers the Council of The Corporation of the City of Hamilton to levy on every telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of \$105,807,106.00 the year ended the 31st day of December, 1985;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1985, be levied on the Bell Telephone Company of Canada Limited in the amount of \$5,290,355.30.
2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section 369 of The Municipal Act on all the lands of The Bell Telephone Company of Canada.

PASSED this

day of

A.D., 1986

CITY CLERK

MAYOR



E. A. SIMPSON
CITY CLERK
K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 May 27
7:30 o'clock p.m.
Council Chambers, City Hall

HAMILTON

A G E N D A

1. Prayer - Reverend Dr. J. A. Johnston
MacNab Street Presbyterian Church
116 MacNab Street South
Hamilton, Ontario
L8P 3C1
2. Presentation - Mr. Sergio Bolzon,
Mohawk Athlete of the Year
3. Proclamation - "Census Day", 1986 June 3
4. Minutes of the Meeting held 1986 May 13
5. Correspondence
6. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (F) Personnel Committee
 - (G) Finance Committee
7. Notice of Motion from previous meeting:
- Alderman D. Christopherson
8. Notices of Motion for next meeting
9. First reading of the Bills
10. Second reading of the Bills - Committee of the Whole
11. Third reading of the Bills
12. Question period
13. Adjournment.

GOVERNMENT DOCUMENTS

DOCUMENTS

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FOURTEENTH Report for 1986 and respectfully recommends:

1. That the estimated cost of \$27 000 to install catch basins and connections on Alma Avenue and Eleanor Avenue (prior to the construction of roadways and curbs under the Local Improvement Act) be financed from the Reserve for Capital Projects Account No. 0280-27.

NOTE: With the adoption of Section 7 of the Eleventh Report of the Transport and Environment Committee, City Council at its meeting on May 13, 1986 approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

2. That the cost to proceed with the consultant services for the Waterfront Park Development Project at a gross cost of \$200 000 be financed from the 1986 Capital Levy Account No. 0376-0298.

NOTE: With the adoption of Section 12 of the Thirteenth Report of the Parks and Recreation Committee, City Council at its meeting on May 13, 1986 approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

3. That the cost of providing access for the handicapped to various recreational buildings at a gross cost of \$100 000 be financed from the 1986 Capital Levy, Account No 0376-0298.

NOTE: With the adoption of Section 13 of the Thirteenth Report of the Parks and Recreation Committee, City Council at its meeting held May 13, 1986 approved this Project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

4. That the cost of the Environmental Study and Clean-Up for the Waterfront Park at a gross cost of \$400 000 be financed from the 1986 Capital Levy - Account No. 0376-0298.

NOTE: With the adoption of Section 11 of the Thirteenth Report of the Parks and Recreation Committee, City Council at its meeting on May 13, 1986 approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

5. That City Council endorse the following recommendation of the H.E.C.F.I. Board of Directors as approved at its meeting on May 9, 1986:

"That the Directorships of the Hamilton Performing Arts Foundation Inc. and the Hamilton Arena/Trade Centre Foundation Inc. be the same as the Directorships of the Hamilton Entertainment and Convention Facilities Inc."

6. That leave be granted to introduce the following Bill:

Bill A-13 : A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz
Secretary

1986 May 15
1986 May 22

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its Fifteenth Report for 1986 and respectfully recommends:

1. (a) That the City accept an offer from Ontario Hydro to renew a Licence Agreement that enables the City to use Ontario Hydro lands along the westerly limits of Birch Avenue between Huron Street and Harvey Street for parks purposes. The term of the agreement is ten (10) years at the nominal consideration of \$1. per annum in advance.
 - (b) That the Mayor and City Clerk be authorized to execute the Licence Agreement subject to the satisfaction of the City Solicitor.
 2. (a) That the leasing of 122 Province Street North to Shane DeBona and Lorri DeBona be approved. The tenancy is to commence on 1986 May 15, at a one time rental of \$50. Commencing 1986 June 1 the monthly rental will be \$310. including realty taxes estimated at \$800.
 - (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
 3. That Mr. E. Seager, Waterfront Sub-Committee Member be authorized to attend the Waterfront Conference, "On the Waterfront 1986", in Gravenhurst, Ontario at a cost not to exceed \$600.
- NOTE: Funds are available in Waterfront Account 0405-G4626-2.
4. That one citizen member of the Waterfront Sub-Committee and one member of City Council be authorized to attend the "Water Works" Conference in Toledo, Ohio, 1986 June 18-21, at a cost not to exceed \$1,800.
- NOTE: Funds are available in Waterfront Account 0405-G4626-2.
5. That the City of Hamilton make a bid to host the International Society of Horticulture-Canada Inc. Annual Conference and Seminar in Hamilton in 1988.

6. That an order be issued to Demik Construction Limited, Hamilton for the additions and alterations to Mountain Arena in accordance with specifications issued by the Director of Purchasing and Vendor's tender, in the amount of \$205,870., all taxes included.

NOTE: Lowest of two (2) tenders received. Partial funds are available in the 1985 account for major maintenance to Civic Buildings, account #0408-A7-5321 (\$104,000.) and the 1986 account for major maintenance to Civic Buildings (\$101,870.).

7. That an order be issued to Sanders Electric Limited, Stoney Creek, for the sub-contract of electrical services to Ivor Wynne Stadium Press Box, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, in the amount of \$80,172., all taxes included.

NOTE: Lowest of four (4) tenders received. Funds provided in the unused portion of the debenture authority already approved for Ivor Wynne Stadium rehabilitation.

8. That the two year contract be extended for one additional year with The Hamilton Junior Chamber of Commerce (Jaycees) to operate the parking lot at the corner of Cannon Street East and Melrose Avenue at the same terms and conditions contained in their proposal submitted in 1984, being an annual payment of \$4,850.

NOTE: Each of the three groups that submitted proposals in 1984 were contacted requesting their proposal for one year. The group being recommended was the only one that responded and offered us the highest payment in 1984. The parking fee will be \$3.

9. That an order be issued to Del Charters, Brampton, for the printing and distribution of the City Wide Brochure for Culture and Recreation, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, in the amount of \$26,474.67, including all taxes and charges.

NOTE: Lowest of seven (7) tenders received. Funds provided in account #0367-0112.

10. (a) That in accordance with the revised policy for playground equipment approved by City Council on 1986 May 13, the following additional funds totalling \$18,000. be approved and financed from the 5% Parks Dedication Reserve (Account #0280-11):

Traditional Play Equipment -	Quinndale Park	\$ 2,000.
-	Eleanor Park	\$ 2,000.
-	Gourley Park	\$ 8,000.
	(James MacDonald School)	
-	St. Davids Separate School	\$ 6,000.
	TOTAL	\$18,000.

11. (a) That the application by the Conqueror II Drum & Bugle Corps to host a Drum & Bugle Show, Saturday 1986 August 2, in Ivor Wynne Stadium be approved.

- (b) That the rental rate be \$780. or 20% of the gate receipts, whichever is the greatest.

12. (a) That the application by the Hamilton Central Lions Ridge Raiders Drum & Bugle Corps to host their 4th Annual Drum & Bugle Show in Brian Timmis Stadium, on Saturday, 1986 August 22, be approved subject to the terms and conditions set down by the Director of Culture and Recreation in accordance with Schedule B of the Operational Regulations for use of Brian Timmis Stadium, as appended hereto.

- (b) That the rental rate be \$551. flat fee.

13. That the following Terms of Reference for the Waterfront Sub-Committee be approved.

TERMS OF REFERENCE
WATERFRONT SUB-COMMITTEE

A. PURPOSE

- 1.1 - The purpose of the Advisory Sub-Committee is to assist the City of Hamilton Parks & Recreation Committee in making recommendations to Council relating to the Waterfront, specifically;
- 1.1.1 To refine the Hamilton Waterfront Master Plan, September 1985.
- 1.1.2 To develop the Terms of Reference for the necessary management structure to direct the construction and operation of the Waterfront Plan.

- 1.1.3 To explore ways and make recommendations regarding potential strategy for funding.
- 1.1.4 To plan and recommend short term measures.
- 1.2 The Committee will also recommend public participation/information programs throughout the entire design development phase. This will be an ongoing and evolving program aimed at maintaining the highest level of public awareness and understanding of the project and process.

B. ADMINISTRATION

- 2.1 The Advisory Sub-Committee reports directly to the Parks & Recreation Committee. Matters affecting the responsibility of other Standing Committees will be reported through the Parks and Recreation Committee to such Committees.
- 2.2 Membership shall consist of three Aldermen, up to ten Citizen Members, Senior Staff from the City, Region and Hamilton Region Conservation Authority and representation from the Hamilton Harbour Commission. Other technical staff and outside professions may be retained as resource people at the Committee's discretion.
- 2.3 The Parks & Recreation Committee will review membership after each Municipal election.
- 2.4 Meetings other than the regular monthly meeting shall be held at the call of the Chair, or a quorum of the membership.
- 2.5 Only Council and Citizen Members shall vote. The staff will participate fully in all discussions.
- 2.6 A quorum shall consist of a majority of voting members, one of whom shall be an Alderman.
- 2.7 The City Architect shall co-ordinate and monitor work programs in conjunction with other Staff, present draft reports to the Sub-Committee and arrange with the Secretary/Manager in consultation with the Chairman (or in his or her absence, the Vice-Chairman), for meetings, agendas and minutes.
- 2.8 The Secretary of this Committee shall review all other City, Regional and Sub-Committee reports related to the Waterfront development and forward relevant material to this Committee as it is received.
- 2.9 There shall be a continuing co-operative liaison between the Crystal Palace Sub-Committee and this Committee concerning the design development phase.

- 2.10 Following approval by the Parks & Recreation Committee of these Terms of Reference, any changes will be forwarded for its subsequent review and approval.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale, Secretary
Parks and Recreation Committee
1986 May 20

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its ELEVENTH Report for 1986 and respectfully recommends:

1. That approval be given to Zoning Application 86-23, William Stables, prospective owner, for a change in zoning from "A" (Conservation, Open Space, Park and Recreation) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District for property located west of No. 83 Jones Street, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - i) That the subject lands be rezoned from "A" (Conservation, Open Space, Park and Recreation) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;
 - ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-21;
 - iii) That the Strathcona Neighbourhood Plan be amended by redesignating the subject lands from "Open Space" to a "Single-Double and Attached Housing" land use designation; and,
 - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "A" (Conservation, Open Space, Park and Recreation) District to "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District for property located west of No. 83 Jones Street, as shown on the attached plan marked as APPENDIX "B".

The effect of the By-law is to permit uniform zoning of property at No. 83 Jones Street to facilitate expansion of the existing dwelling onto the subject lands.

2. That approval be given to Zoning Application 86-25, Agostino Ammendolia, owner, for a modification to the established "E-3" (High Density Multiple Dwellings, etc.) District regulations for property located at No. 190 Catharine Street South, as shown on the attached plan marked as APPENDIX "B" on the following basis:

i) That the "E-3" (High Density Multiple Dwellings, etc.) District regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands be modified to provide for the following variances as special requirements:

(a) That notwithstanding Section 11C(1) of By-law No. 6593, the following uses shall be permitted within the existing building:

1. Commercial Uses

- i) a business or professional person's office; and,
- ii) a finance, insurance or real estate office

2. Accessory Use

- i) One ground sign, wall sign, or projecting sign of an area of not more than 0.4 square metres (4.31 sq. ft.) non illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 metres (4.92 ft.) from the nearest street line in connection with any commercial use permitted in the district;
- ii) That the amending By-law be added to Section 19B of the Zoning By-law as Schedule S-960 , and that the subject land on Zoning District Map E-5 be notated S-960;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 an Zoning District Map E-5; and,
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The By-law will provide for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations for property located at No. 190 Catharine Street South, as shown on the attached plan marked as Appendix "B". The effect of the modification is to permit, in addition to the "E-3" (High Density Multiple Dwellings, etc.) District uses, the following commercial uses within the existing building:

- i) a business or professional person's office, and,
- ii) a finance, insurance or real estate office,

In addition the By-law provides for the following accessory use:

- (a) one ground sign, wall sign, or projecting sign of an area of not more than 0.4 square metres (4.31 sq. ft.), non illuminated or illuminated by non-flashing indirect, or interior means only, located at least 1.5 metres (4.92 ft.) from the nearest street line on connection with any commercial use permitted in the district.

3. That approval be given to Zoning Application 86-28, Municipal Non-Profit (Hamilton) Housing Corporation, prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "DE-3" (Multiple Dwellings) District, to permit the conversion of the existing school to an apartment building and to allow the construction of a townhouse development on the property located at No. 75 Wentworth Street North shown on the attached map marked as APPENDIX "C", on the following basis:

- i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "DE-3" (Multiple Dwellings) District;
- ii) That the "DE-3" (Multiple Dwellings) District as contained in Section 10C of Zoning By-law 6593 be modified to include the following variances as special requirements.
 - (a) That notwithstanding Section 10C (2), (3) and (5), a multiple dwelling shall be permitted in the existing building.
 - (b) That a maximum of 45 dwelling units shall be permitted of which not more than 8 shall be townhouse dwelling units.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-961, and that the subject lands on Zoning District Map E-13 be notated S-961.

- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- vi) That the Landsdale Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Low Density Apartments".

EXPLANATORY NOTE:

The purpose of the By-law is to provide for change in zoning from "C" (Urban Protected Residential, etc.) District to "DE-3" (Multiple Dwellings) District, for property located at No. 75 Wentworth Street North (Wentworth Street School), as shown on the attached key map.

The effect of the by-law is to:

- (a) permit the conversion of the existing building (Wentworth Street School) to a multiple dwelling; and,
- (b) permit development on the property for nine (9) townhouses, and,
- (c) permit a total of 45 units of which not more than 8 may be townhouse dwelling units.

In addition, the By-law provides for variances to the height, area, and floor area ratio requirements for the existing building.

- 4. That approval be given to Zoning Application 86-03 and 86-30, Estate of Solomon Wasserman, C/O Marvin Wasserman, owner, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small lot Single-Family Detached) District, modified (Block "1"), and "RT-20" (Townhouse - Maisonette) District (Block "2"), for lands located on the south side of Limeridge Road East and east of Upper Wellington Street, as shown on the attached plan marked as APPENDIX "D", on the following basis:

- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- ii) That the "R-4" (Small Lot Single-Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593 applicable to the lands shown as Block "1", be modified to include the following variance as a special requirement:

- (a) Notwithstanding Section 9A(1)(a) of By-law No. 6593 a townhouse dwelling subject to the "RT-10" District provisions of Section 10D shall be permitted.
- iii) That the lands shown as Block "2" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District;
- iv) That the amending By-law be added to Section 19B of zoning By-law No. 6593 as Schedule S-962, and that the subject lands on Zoning District Maps E-18A and E-19B be notated S-962;
- v) That the City Solicitor be directed to prepare separate By-laws to Blocks "1" and "2" to amend Zoning By-law No. 6593 and Zoning District Maps E-18A and E-18B;
- vi) That the proposed change zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- vii) That the Bruleville Neighbourhood Plan be amended to reflect the proposed road pattern.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located on the south side of Limeridge Road East and East of Upper Wellington Street, as shown on the attached plan marked as Appendix "D".

- Block "1" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, modified; and,
- Block "2" - Change from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District.

The effect of the By-law is to permit "small lot single-family" development or townhouse development on Block "1" and townhouse development on Block "2". development

5. That approval be given to Zoning Application 86-34, Antonio Costa Cunha and Maria Audrey Cunha, owners, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, for property located at the rear of No. 366 Barton Street East, as shown on the attached plan marked as APPENDIX "E", on the following basis:

- i) That the lands shown as Block "1", be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- ii) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variance as a special requirement:
 - (a) that a visual barrier not less than 1.2 m (3.94 ft.) in height and not greater than 2.0 m (6.56 ft.) be provided and maintained along and within the southerly lot line of Block "1".
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-963, and that the subject lands on Zoning District Map E-21 be notated S-963;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-21; and,
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The By-law provides for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for lands located at the rear of No. 366 Barton Street East, shown as Block "1" on the attached plan marked as Appendix D. The effect of the By-law is to permit the lands to be used in conjunction with the lands shown as Block "2", for the sale of used automobiles. In addition, the By-law requires that a visual barrier not less than 1.2m (3.94 ft.) in height and not greater than 2.0 m (6.56 ft.) be provided and maintained along and within the southerly lot line of Block "1".

6. That approval be given to Zoning Application 86-26, Thomas Rielly, owner, to modify the "C" (Urban Protected Residential, etc.) District to permit a Video Rental Store in the existing single building on property located at No. 928 Concession Street as shown on the attached plan marked as APPENDIX "F" on the following basis:

- i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be modified to provide for the following variances as special requirements:
 - (a) That notwithstanding Sections 2.(2)H.(iii)(a) and (e) a video retail store shall only be permitted in the existing garage as a home occupation.
 - (b) That no parking shall be permitted in the front yard.
- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-964 and that the subject lands on Zoning District Map E-35 be notated S-964;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-35; and
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 938 Concession Street.

The effect of the By-law is to permit a video rental store in the existing garage as a home occupation use.

In addition, the By-law prohibits parking in the front yard and places the property under Site Plan Control.

7. That approval be given to City Initiative 85-F to amend Zoning By-law No. 6593 by incorporating the following special provisions to regulate "outdoor patios".

- (i) That Section 2.(2)(D) of Zoning By-law No. 6593 be amended by adding the following definition of "outdoor patio" as Section 2.(2)D(iia).

"Outdoor Patio" means an outdoor area used on conjunction with any restaurant or tavern where seating accomodation is provided, and where meals and/or refreshments are served to the public for consumption on the premises, and which has been issued a Patio Licence under the Liquor Licence Act.

- (ii) That Section 2.(2)D(vii) of zoning By-law No. 6593 be amended by deleting the term "Patio Licence" in the fifth line so that definition of "Tavern" reads as follows:

"Tavern" shall mean an establishment which has been reclassified as a "tavern" under the Liquor Licence Act, 1975, and shall include those premises for which an Entertainment Lounge Licence, a Lounge Licence, or a Public House Licence has been issued under the Liquor Licence Act, 1975.

- (iii) That Section 13 ("G" Districts) of Zoning By-law No. 6593 be amended by adding an "Outdoor Patio" as a permitted use under a new Section 13.(1)(viia).
- (iv) That Section 13D ("G-4" Districts) of zoning By-law No. 6593 be amended by adding an "Outdoor Patio" as a permitted use under a new Section 13D(1)(iva).
- (v) That Section 15A ("HI" Districts) of zoning By-law No. 6593 be amended by adding an "Outdoor Patio" as a permitted use under a new Section 15A(1)(xia).
- (vi) That Table 4 - Commercial Uses of Section 17C - "M-11" District of Zoning By-law No. 6593 be amended by adding "Outdoor Patios" as a permitted use.
- (vii) That Section 18 - SUPPLEMENTARY REQUIREMENTS AND MODIFICATIONS of Zoning By-law No. 6593 be amended by adding the following special provisions as Section 18.(3)(ivbb):

SPECIAL REQUIREMENTS FOR OUTDOOR PATIOS

Notwithstanding any other provision of this By-law, the following shall apply to an "Outdoor Patio".

1. Capacity

No outdoor patio shall accommodate more than 50% of the licenced capacity of the restaurant or tavern with which the patio is association, or 50 persons, whichever is the greater.

2. Location

- 2.1 Not outdoor patio shall be permitted where any lot line adjoins a residential district, or is separate therefrom by an alley.
- 2.2 Notwithstanding the provisions of Subsection 2.1, where only the rear lot line adjoins a residential district, or is separated therefrom by an alley, an outdoor patio shall be permitted in the front yard.
- 2.3 No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential district or is separate therefrom by an alley.

3. Lighting Facilities

Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets.

4. Parking

Notwithstanding Section 18A, no parking or loading space shall be required for an outdoor patio.

5. Entertainment

No music (whether performed live or recorded), dancing or other forms of entertainment shall be permitted.

- 2. That Council amend its "Policy and Procedure Guidelines" pertaining to "Outdoor Boulevard Cafes" to include the following:
 - (i) that the guidelines be amended to reflect the "SPECIAL REQUIREMENTS FOR OUTDOOR PATIOS" as set out above; and
 - (ii) That Section 2 "ZONING" of the guidelines be amended by deleting the phrase "eating establishment" in the first line and substituting "Outdoor Patio" therefore.
- 3. That Council require the City Licence Administrator to submit the following comment to the Liquor Licence Board on all applications for "patio licences" where the proposed establishment adjoins a residential district or is separated therefrom by an alley:
 - (i) That no entertainment, including, but not limited to, music or dancing shall be permitted.

EXPLANATORY NOTE:

The purpose of the By-law is to provide a general text amendment to Zoning By-law No. 6593 by introducing special requirements for the regulation of "outdoor patios".

The effect of the By-law is to permit "outdoor patios" in the following districts:

- (a) "G" (Neighbourhood Shopping Centre, etc.) Districts
- (b) "G-1" (Designed Shopping Centre) Districts;
- (c) "G-2" (Regional Shopping Centres) Districts
- (d) "G-4" (Designed Neighbourhood Shopping Area) Districts
- (e) "H" (Community Shopping and Commercial, etc.) Districts;
- (f) "HH" (Restricted Community Shopping and Commercial) Districts;
- (g) "I" (Central Business District, etc.) District;
- (h) "HI" (Civic Centre Protected) Districts
- (i) "J" (Light and Limited Heavy Industrial, etc.) Districts;
- (j) "K" (Heavy Industry, etc.) Districts; and
- (k) "M-11" (Prestige Industrial) Districts.

The By-law amends the definition "Tavern" by deleting the reference to the "Patio Licence", and introduces the following definition of "Outdoor Patio" into the Zoning By-law:

"Outdoor Patio" Means an outdoor area used in conjunction with any restaurant or tavern where seating accommodation is provided, and where meals and/or refreshments are served to the public for consumption on the premises, and which has been issued a patio licence under the Liquor Licence Act.

Lastly, the By-law introduces the following special requirements for regulating "outdoor patios":

1. Capacity

No outdoor patio shall accommodate more than 50% of the licenced capacity of the restaurant or tavern with which the patio is associated or 50 persons, whichever is the greater.

2. Location

- 2.1 No outdoor patio shall be permitted where any lot line adjoins a residential district, or is separated therefrom by an alley.
- 2.2 Notwithstanding the provisions of Subsection 2.1, where only the rear lot line adjoins a residential district, or is separated therefrom by an alley, an outdoor patio shall be permitted in the front yard.
- 2.3 No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential district or is separated therefrom by an alley.

Lighting Facilities

3. Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets.

4. Parking

Notwithstanding Section 18A, no parking or loading space shall be required for an outdoor patio.

5. Entertainment

No music (whether live or recorded), dancing or other forms of entertainment shall be permitted.

8. That By-law No. 83-229 be amended by adding the following as permitted uses to the "M-14" (Prestige Industrial) District applicable to the land, the extent and boundaries of which are shown on the attached Map marked as APPENDIX "G".

	<u>USES</u>	<u>S.I.C. CODE 3</u>
1.	Plumbing, heating, Air Conditioning, Sheet Metal and other Duct Works	4241, 4242, 4243, 4244
2.	Moulds and Dies	3062
3.	Machine Shop	3081
4.	Motion Picture Laboratory and Video Production	9613

5.	Film Processing Laboratories	9613
6.	Scientific and Technical Services	7759
7.	Wholesaling of:	
	a) Toys, Novelties, excluding fireworks	5941
	b) Amusements, Sporting Goods	5962
	c) Musical Instruments, Accessories	5952
	d) Books, periodicals, newspapers	5991
	e) Photographic Equipment & Supplies	5951
	f) Other Paper and Paper Products	5929
	g) Other Products	5999
	h) Hardware	5621
	i) Plumbing, Heating and Air Conditioning Equipment and Supplies	5622
8.	Electrical Products:	
	a) Electric Lamps	3333
	b) Major Appliances	3321
	c) Record Player/Radio/TV Receivers	3341
	d) Telecommunications Equipment	3351
	e) Electronic Parts	3352
	f) Other Communication Equipment	3359
	g) Electronic Computer Equipment	3361
	h) Electrical office/Store/Business Machines	3362
	i) Electrical Transformers	3371
	j) Electrical Switch Gear Protective Equipment	3372
	k) Other Electrical/Industrial Equip.,	3379
9.	Dairy Products Industry	104
10.	Canvas Related Products Industry	1931
11.	Residential Building and Development, excluding outside storage of equipment and materials	401
12.	Non-residential Building and Development, excluding storage of equipment and materials	402
13.	Site Work: - Excluding outside Storage of equipment and materials	421
	a) Wrecking and Demolition	4211
	b) Water Drilling	4212
	c) Septic System Installation	4213
	d) Excavation	4214

e)	Equipment Rental with operator	4215
f)	Asphalt Paving	4216
g)	Fencing Installation	4217
14.	Land Developers, excluding outside storage of equipment and materials	4491
15.	Structural and Related Work:- Excluding outside storage of Equipment and Materials	422
a)	Pile Driving Work	4221
b)	Form Work	4222
c)	Steel Reinforcing	4223
d)	Concrete Pouring Installation	4224
e)	Rough and Framing Carpentry	4276
f)	Structural Steel Erection	4227
g)	other Structural and Related Work	4229
h)	precast Concrete Installation	4225
16.	Exterior Close-in Work: - Excluding outside storage of equipment and materials	423
17.	Services to Building and Dwellings	995
a)	Disinfecting and Exterminating Services	9951
b)	Window Cleaning	9952
c)	Janitorial Service	9953
d)	Other Services to Buildings	9959
18.	Mechanical Specialty Work, excluding outside storage of equipment and materials	425
19.	Electrical Work, excluding outside outside storage of equipment and materials	426
20.	Interior and Finishing Work, excluding outside storage of equipment and materials	427
21.	Other Trade Work, excluding outside storage of equipment and materials	429
22.	Electric Motor Repair	9941
23.	Welding	9942

24. Other Repair Work limited to repair of
carpets, rugs, locksmithing, gunsmithing,
harness repair duplicating, small engine
repair, sharpening of cutlery, lawn mowers,
saws and scissors 9949
25. Audio Visual Equipment Rental and
Leasing 9912
26. Office Furniture and Machinery
Rental and Leasing 9913
27. Other Machinery and Equipment
Rental and Leasing 9919
28. Industrial Machinery and
Equipment Rental and Leasing 9911
29. Project Management 4411

2. That the amending By-law be added to Section 19(b)
Zoning By-law No. 6593 as Schedule S-759(B) and that the
subject lands on zoning district maps W-46 be noted
S-759(B).
3. That the City Clerks be directed to prepare a By-law to
amending Zoning By-law No. 6593 as amended by By-law
83-229.
4. That the proposed zoning amendment is in conformity with
the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the proposed By-law is to amend By-law No. 83-229, which was passed by City Council on July 27, 1983. By-law No. 83-229 was a special By-law, the intent of which was to maintain the same yard requirements and most of the same uses in the Ainslie Wood Industrial enclave that existed prior to enactment of By-law No. 83-229.

The proposed amending By-law re-introduces a number of uses which were formerly permitted prior to By-law No. 83-229. In addition, the following new uses have been added:

S.I.C. #

- | | |
|--------|---|
| (9912) | Audio Visual Equipment Rental and Leasing |
| (9913) | Office Furniture and Machinery Rental and Leasing |

- (9919) Other Machinery and Equipment Rental and Leasing
- (9911) Industrial Machinery and Equipment Rental and Leasing
- (4411) Project Management

9. That the approved plan for the Riverdale East Neighbourhood be amended as shown on the attached Map marked as APPENDIX "H".

EXPLANATORY NOTE:

A review of the 1968 Neighbourhood Plan was required due to a zoning application for extension of commercial lands, and a proposal to change the road pattern for the southern access to the neighbourhood. Additional lands have been provided for commercial properties fronting on Queenston Road, and the residential designations have been modified to take into account the nature of adjacent development for Commercial designations have been added for the rear of properties fronting on Queenston Road, and for a small area west of the new road. The residential designations have been changed to single and double, and attached housing.

10. That City Council reaffirm its decision of April 10, 1984 to rezone the lands located on the east side of Mount Albion Road, north of Greenhill Avenue, Redhill Neighbourhood from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District to permit low density apartment development which shall not exceed 138 dwelling units.

EXPLANATORY NOTE:

City Council approved the rezoning of the above-noted lands from "AA" to "DE-3" on April 10, 1984. Maximum development on the site was limited to 138 units. The rezoning was subject to two conditions concerning:

1. recovery of costs for services along Montmorency Drive, and
2. delineation of open space on the east side of the site by the Hamilton Region Conservation Authority.

Both conditions have now been met.

At its meeting held 1986 April 8, City Council referred back the subject zoning by-law because of concerns raised by residents in the area, regarding the proposed Municipal Non-Profit Housing Project.

At its meeting held 1986 May 14, the Planning and Development Committee held a public meeting to review the land use changes and rezoning for the subject lands with affected property owners. On the basis of submissions made by all concerned including affected property owners, the Committee recommends that the rezoning from "AA" to "DE-3" proceed as approved by City Council, 1984 April 10.

11. That Zoning Application 86-27, Suncor Inc., owner, requesting a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District, to permit the development of the lands for commercial purposes, for the property located on the east side of Upper Gage Avenue, north of Loconder Drive, be denied for the following reasons:

1. The proposal conflicts with the intent of the approved Quinndale Neighbourhood Plan which designates the subject lands as "Low Density Apartments".
2. There is already sufficient lands designated for commercial development, at the southeast corner of Upper Gage Avenue and Loconder Drive, to serve the needs of the surrounding residents.

12. That Item 6.B(ii) of the 26th Report of the Planning and Development Committee to City Council, 1985 October 8, be deleted and in its place the following inserted:

6.B.(ii) That notwithstanding Section 18(3)(ivc)(b) and (c) of zoning By-law No. 6593, a 3.0 m (10ft.) wide landscape planting strip shall be provided along the northerly lot line only, and that no visual barrier shall be required.

EXPLANATORY NOTE:

As a result of reviewing Site Plan Control Application DA-86-21, the required planting strip of 3.0 m (10ft.) was to be provided along the northerly property line, and no visual barrier required for the proposed use of the land.

13. That approval be given to application SA-86-02, 283530 Ontario Corporation, owner, to establish a draft plan of condominium, located north of Stone Church Road and west of Upper Ottawa Street, subject to the following conditions:

1. That this approval apply to the plan prepared by J. P. Nouwens, O.L.S., dated 1986 January 22, showing 42 units in 8 townhouse buildings.

2. That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive traffic noise from Upper Ottawa Street prior to the signing of the final plan.
-
14. (a) That approval be given to application SA-86-11, Stanlow Holdings Limited, owner, to establish a draft plan of subdivision located south of Taymall Street and west of Upper Ottawa Street, subject to the following conditions:
 1. That this approval apply to the plan dated 1986 January 31, prepared by A. J. Clarke, O.L.S. revised to show 15 m radii for the cul-de-sacs, 35 lots, one block for development in conjunction with adjacent land and one block for a 0.3 m reserve.
 2. That the road allowances be dedicated as public highways on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That the final plan conform with the zoning by-law approved under The Planning Act.
 5. That the owner make a cash payment-in-lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 8. That the dead-end of the road allowance created by the plan be terminated in a 0.3 m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
 9. That Block 36 be developed only in conjunction with adjacent land.
 10. That the owner establish street "A" to its full designated width (20.0m) prior to the final approval of lots 1 to 4 inclusive.

11. Templemead Drive and Tudor Street must align respectively with the proposed extension of Templemead Drive under Draft plan of subdivision "Villa-d'-Este Gardens - Phase 2" and the existing Tudor Street.
 12. That the plan not receive final approval prior to the registration of draft plan of subdivision "Villa-d'-Este Gardens - Phase 2" under Regional File No. 25T-86001.
 13. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth region with respect to this application (SA-86-11), Stanlow Holdings Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
15. (i) That proposed Amendment No. 23 to the Hamilton-Wentworth Official Plan is compatible with the planning intentions of the City of Hamilton and, therefore, should be endorsed; and,
- (ii) That the City Clerk be directed to advise the Hamilton-Wentworth Economic Development and Planning Committee, and the Ministry of Municipal Affairs accordingly.

EXPLANATORY NOTE:

The Hamilton-Wentworth Economic Development and Planning Committee has requested comments from the City on Proposed Amendment No. 23, to the Hamilton-Wentworth Official Plan. The proposed Amendment would permit an observation and detention home in the East Mountain Industrial Business Park.

16. That City Council inform the Regional Municipality of Hamilton-Wentworth it is not opposed to an Amendment to the Niagara Escarpment Plan to permit a proposed 11 lot plan of subdivision on lands located on Part Lots 54 and 55 in the Town of Ancaster.

17. That City Council inform the Regional Municipality of Hamilton-Wentworth it is not opposed to an Amendment to the Niagara Escarpment Plan to permit creation of a new residential lot on lands located on Part of Lot 46, Concession 2, in the Town of Ancaster.
18. That approval be given to the following policy regarding the hiring of Planning Consultants for Ontario Municipal Board Hearings.
1. In a situation where the City Council has approved an application contrary to the Planning Department recommendation, the City Solicitor is authorized to request the applicant to provide expert planning evidence.
 2. Where Council denies an application contrary to the recommendation of the Planning Department, the legal department be authorized to retain an independent planning consultant to provide evidence supporting the Council's decision.
 3. That the Finance Committee be requested to recommend a method of Financing for 1986, and that in 1987 and subsequent years the Planning Department include an allocation of funds for this purpose in the Department's Planning Services Budget.
- Note: The technical and cartographic exhibits and materials would be prepared by the Planning Department and as requested by the City Solicitor will be available for these Hearings.
19. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the building Department and the Planning and Development Committee:
- (1) 58 Crosthwaite Avenue North, Hamilton
 - (2) 380 Osborne Street, Hamilton
 - (3) 326 Victoria Avenue North, Hamilton
 - (4) 324 Victoria Avenue North, Hamilton
 - (5) 322 Victoria Avenue North, Hamilton
 - (6) 320 Victoria Avenue North, Hamilton
 - (7) 390 Avondale Avenue, Hamilton

20. (a) That approval be given to the establishment of the following positions in the Inspection Division of the Building Department:
- i) One temporary Senior Inspector, effective June 1, 1986 at an approximate cost of \$20,864.60
 - ii) One Inspector, effective June 1, 1986, at an approximate cost of \$30,480.16
- (b) That the Finance Committee be requested to recommend the method of financing the additional staffing costs outlined in (i) and (ii) above

EXPLANATORY NOTE:

For the information of members of City Council, construction activity in Hamilton is extremely active. Total construction value for the first four months of this year already exceeds the total value of construction recorded for all of 1984.

Since workloads are up substantially from previous years, the filling of these positions will enable the Department to maintain the existing level of service.

21. That with respect to the Downtown Action Plan, Phase III-B;
- (a) Hughson Street North, from King to King William Streets receive only superficial improvements in accordance with the estimate received from Moorhead Fleming Corban McCarthy at an anticipated revised cost of approximately fifteen thousand dollars (\$15 000.) (attached as Schedule "A") and,
 - (b) The excess funds originally earmarked for typical treatment on Hughson Street North, from King to King William Streets (approximately one hundred fifty-seven thousand dollars (\$157 000.) be reserved for future full streetscape treatment on Hughson Street North pending Regional Council's decision concerning the future of trolley buses in the downtown core; and,
 - (c) Moorhead Fleming Corban McCarthy be authorized to proceed to public tender with the final detailed construction drawings and specifications for the phase III-B Streetscape of the Downtown Hamilton Action Plan.

EXPLANATORY NOTE:

For the information of the members of City Council, Moorhead, Fleming Corban McCarthy's plans and specifications originally included typical treatment on Hughson Street North from King to King William Streets. The Ministry of Transportation and Communications completed a "Trolley Coach Study" at the request of Hamilton Street Railway, in light of the proposed Downtown Transit Centre, that reviewed the viability of removing the trolleys from the existing bus fleet.

At its meeting held 1985 November 28, the Downtown Action Plan Co-ordinating Committee passed a resolution, supporting in principle, the removal of trolley buses from the downtown core, specifically, Hughson Street North from King to King William Streets. In the event that trolley buses and overhead lines are removed, we have been advised that Hughson Street could be closed to through traffic in order to create a pedestrian mall.

This proposed alteration to the scope of work will not effect the C.A.I.P. allocation for Phase III-B.

22. (a) That, at the request of the Jamesville Business Improvement Area, banners and apurtinent hardware be manufactured and installed in 1986 on James Street North from Vine Street to the C.N.R. station, at an estimated cost of \$13 110.; and,
(b) That the necessary financing for the Jamesville banners be provided from Phase III of the Downtown Hamilton Action Plan.
23. (a) That a grant and repayable loan in the amount of four thousand five hundred and fifteen dollars (\$4 515.) be approved for Mr. & Mrs. William Prodaniuk, 208 East 21st Street, for the adaptation of their home for Mrs. Prodaniuk's handicap.
(b) That subject to approval, the Lien be registered on Title indicating that a forgiveable grant in the amount of two thousand two hundred and fifty seven dollars (\$2 257.) be earned over a five (5) year period, and the balance of two thousand two hundred and fifty eight dollars (\$2 258.) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent (0%).

24. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7 500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in the Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

1.	R. Johnson	106 Avondale Avenue North
2.	B. Stepien	136 Balmoral Avenue North
3.	A. Ciacchi	67 Cedar Avenue
4.	D. Prentice	101 East 5th Street
5.	F. Halkyard	742 Beach Boulevard
6.	I. von der Lippe	138 Ivon Avenue
7.	J. Lewis	9 Reginald Street
8.	H. Stanley	33 Harold Street
9.	N. Swenor	27 Blackthorne Avenue
10.	N. Unitt	167 Pottruff Road North
11.	G. Powell	30 Hazel Avenue
12.	M. Hann	7 Fielding Crescent
13.	E. Gregus	25 Fay Avenue
14.	A. Vardy	25 Britten Close, Unit B39

Hamilton Rehabilitation Programme

- | | | |
|----|----------------|----------------------------|
| 1. | T. Dolan | 31 Frederick Avenue |
| 2. | S. Scarisbrick | 25 Kensington Avenue South |
| 3. | D. Zhorzel | 29 Gildea Street |

25. That D. B. Savage Industrial Sales Limited be granted one final extension of the construction commencement date to October 1, 1986 on Lot 12, in the Hamilton Mountain Industrial Park No. 1 and to December 31st, 1986 for the construction completion date.
26. That an offer to purchase the lands of The Corporation of the City of Hamilton known as Lot 9 and Block 16, Plan M-352, Hamilton Mountain Industrial Park No. 3, duly executed on May 6, 1986, by the Purchaser, 609892 Ontario Limited and scheduled for closing on September 8, 1986, be approved and completed.

Note: The property is composed of a parcel of vacant land located on the south side of Rymal Road East, having a frontage of 60.10 m (197.17 feet) by a depth of 79.248 m (260 feet) on the western limit of Upper Ottawa Street and containing an area of 1.619 acres. The subject site is more particularly described as Lot 9 and Block 16 on Plan M-352 and being subject to an easement in favour of the Region over Block 16, Plan M-352.

The purchase price is \$76 800. A deposit cheque in the amount of \$7 680., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Lounsbury Real Estate Ltd., whose agent Mr. Bill Brown acted in this matter.

This transaction is conditional on the following terms:

1. (a) This agreement may be terminated by the Purchaser if they are unable to arrange suitable financing for this project.
- (b) Site Plan approval by the City of Hamilton on or before August 22, 1986.
- (c) The Purchaser at its own expense obtaining soil tests in order to confirm that the subject lands will support the construction of the Purchaser's proposed building.

(d) The Purchaser applying for and being in a position to obtain a building permit for its proposed building.

2. All conditions contained herein are for the benefit of the Purchaser and may be waived by them in their sole and absolute discretion.

This transaction includes special building covenants, agreements and restrictions which are set out on the attached pages marked as APPENDIX "I".

27. That an Offer to Purchase an additional 48 feet of lands of The Corporation of the City of Hamilton located on the south side of Burlington Street East duly executed on April 22, 1986 by the Purchaser, O'Sullivan Automotive Ltd., and scheduled for closing on November 20, 1986 be approved and completed.

Note: The property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 14.631 m (48 feet) by a depth of 59.505 m/57.839 m (195.22 feet/189.75 feet) and containing an area of 858.4m² (9,420 square feet) and more particularly described as Part 1 on Plan 62R-7922.

The purchase price is \$21 000. A deposit cheque in the amount of \$2 100., is being held by the City Treasurer pending Council approval.

This transaction includes special building covenants, agreements and restrictions, which are set out on the attached pages marked as APPENDIX "J".

28. That construction on Block 101 (lands bounded by York Boulevard, Bay, Napier and Caroline Street) Scheduled for commencement on or before April 30, 1986, pursuant to the Owner's covenant on title, be extended to 601210 Ontario Inc., by three months, i.e. to July 30, 1986, all other terms and conditions pursuant to the owners' covenant on title to remain the same, and time is to remain of the essence.

EXPLANATORY NOTE:

Articles of agreement between the City and 601210 Ontario Inc., purchaser of Block 101, specified that development of the lands was to commence physically within six months from the closing date of the transaction, which was October 30, 1985.

The Owner's site plan proposal was approved by the Planning and Development Committee on April 30, 1986 subject to approval by the Committee of Adjustment for minor variances to the Zoning By-law. These variances were approved by the Committee of Adjustment at a hearing on May 1, 1986.

The variances obtained by the Owners are essential to optimum development of the property, and the time required in securing said variances is the sole cause for the delay in construction.

The Committee is assured that the three month delay will not hinder completion of the development within the agreed deadline of 18 months from closing, i.e. April 30, 1987 more or less. Accordingly, the Committee fully supports the Owners/Developer's request for the subject three month extension.

29. The Corporation of the City of Hamilton accept the sum of \$83 249.74 as cash payment in lieu of 5% dedication in connection with "Ridgeview Estates - Phase 1", Hamilton.

Note: These lands are located east of Upper Wentworth Street and south of Stone Church Road in the Butler Neighbourhood, Hamilton.

30. That the City Clerk be authorized and directed to write to the Minister of Culture and Recreation for Ontario, the Honourable Lily Munro, for permission to enforce the requirements of the Ontario Heritage Act with respect to 109 George Street which has been designated as a heritage building by By-law 85-176, as a building of historic and architectural value and interest.

EXPLANATORY NOTE:

The Local Architectural Conservation Advisory Committee has advised that the front door of the above property has been changed to that of a modern style.

Schedule B of By-law 85-176, specifically makes reference to the front door as one of the historic items of the building. The property owner did not apply for City Council's permission to alter the property for any reason.

31. That leave be granted to introduce the following Bills:

Bill No. D-42	By-law to Amend Zoning By-law No. 6593 respecting Lands Located on the East Side of Mount Albion Road in the area north of Greenhill Avenue.
---------------	--

Bill No. D-68 By-law to Amend Zoning By-law No. 6593
Respecting Land Located at Municipal No. 124
Walnut Street South.

Bill No. D-69 By-law to Amend Zoning By-law No. 6593
Respecting Land Located at Municipal No. 824
Fennell Avenue East.

Bill No. D-70 By-law to establish Site Plan Control
Respecting Land Located at Municipal No. 824
Fennell Avenue East.

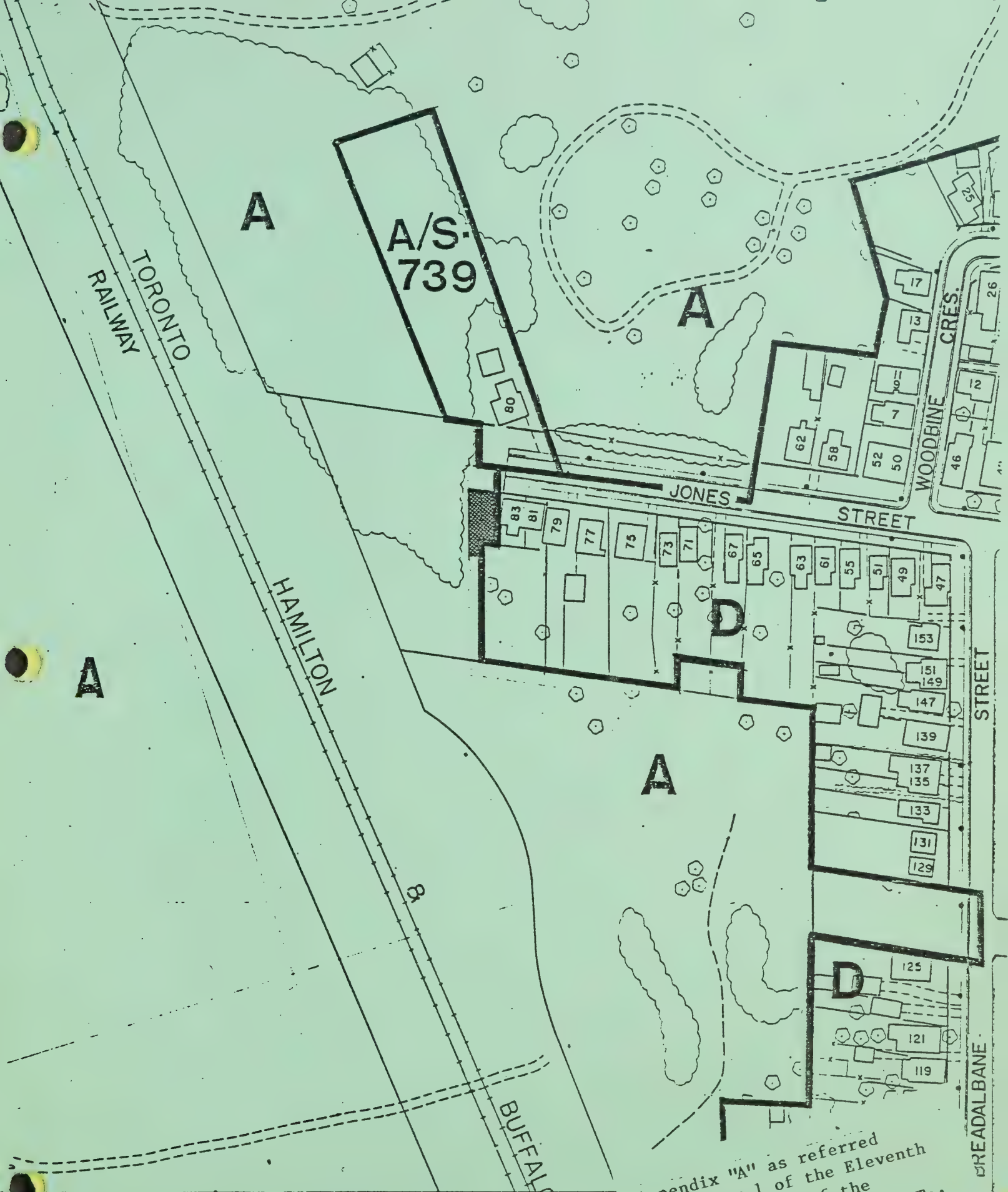
Bill No. D-71 By-law to Amend Zoning By-law No. 6593
Respecting Land Located on the West Side of
Upper Paradise Road, in the Area North of
Megna Court.

Bill No. D-72 By-law to Amend Zoning By-law No. 6593,
Respecting Land Located on the West Side of
Upper Wentworth Street, South of the
Proposed Mountain Freeway.

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee

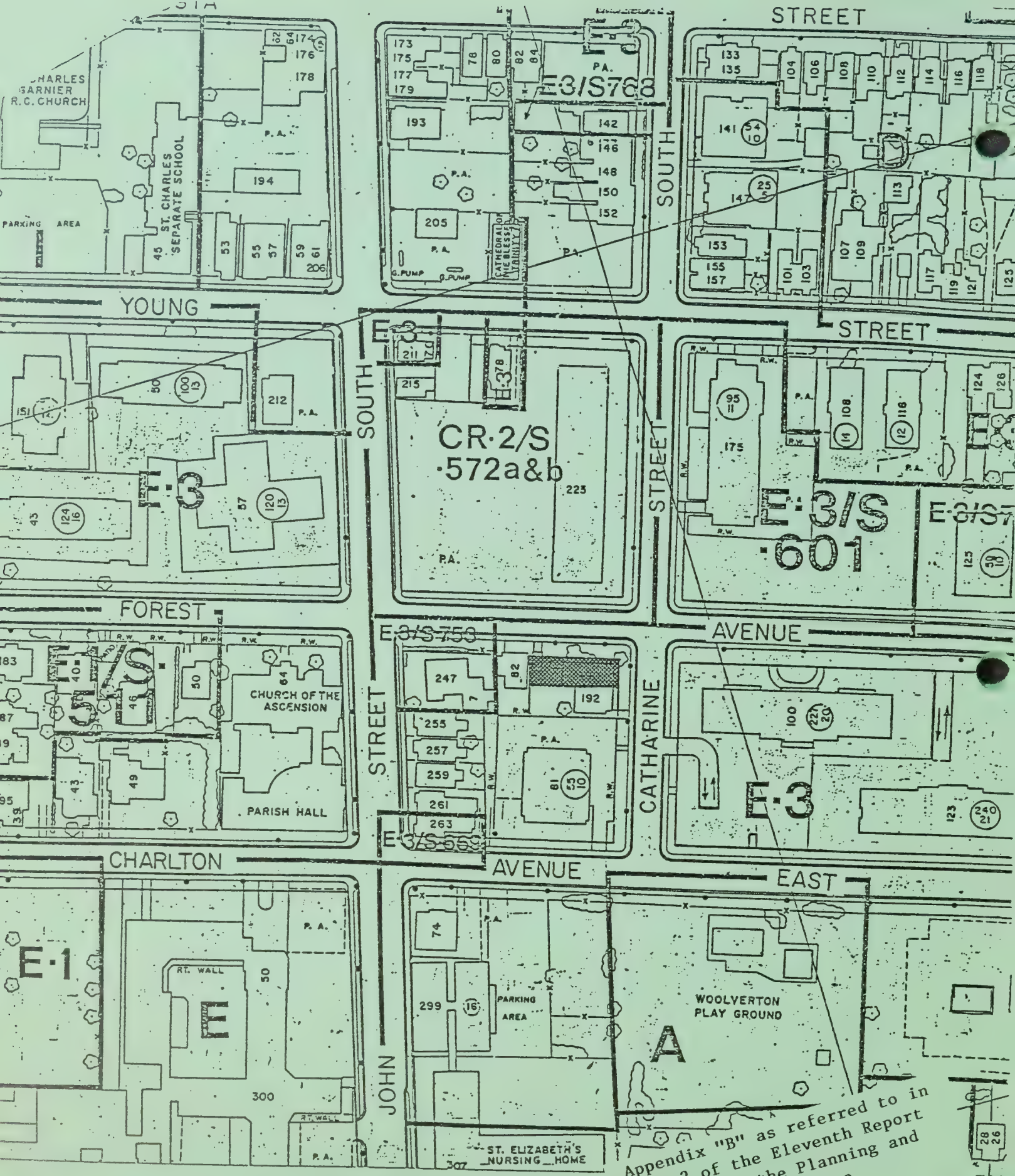


Legend:



SITE OF THE APPLICATIC

Appendix "A" as referred
to in Item 1 of the Eleventh
Report for 1986 of the
Planning & Development Comm.,



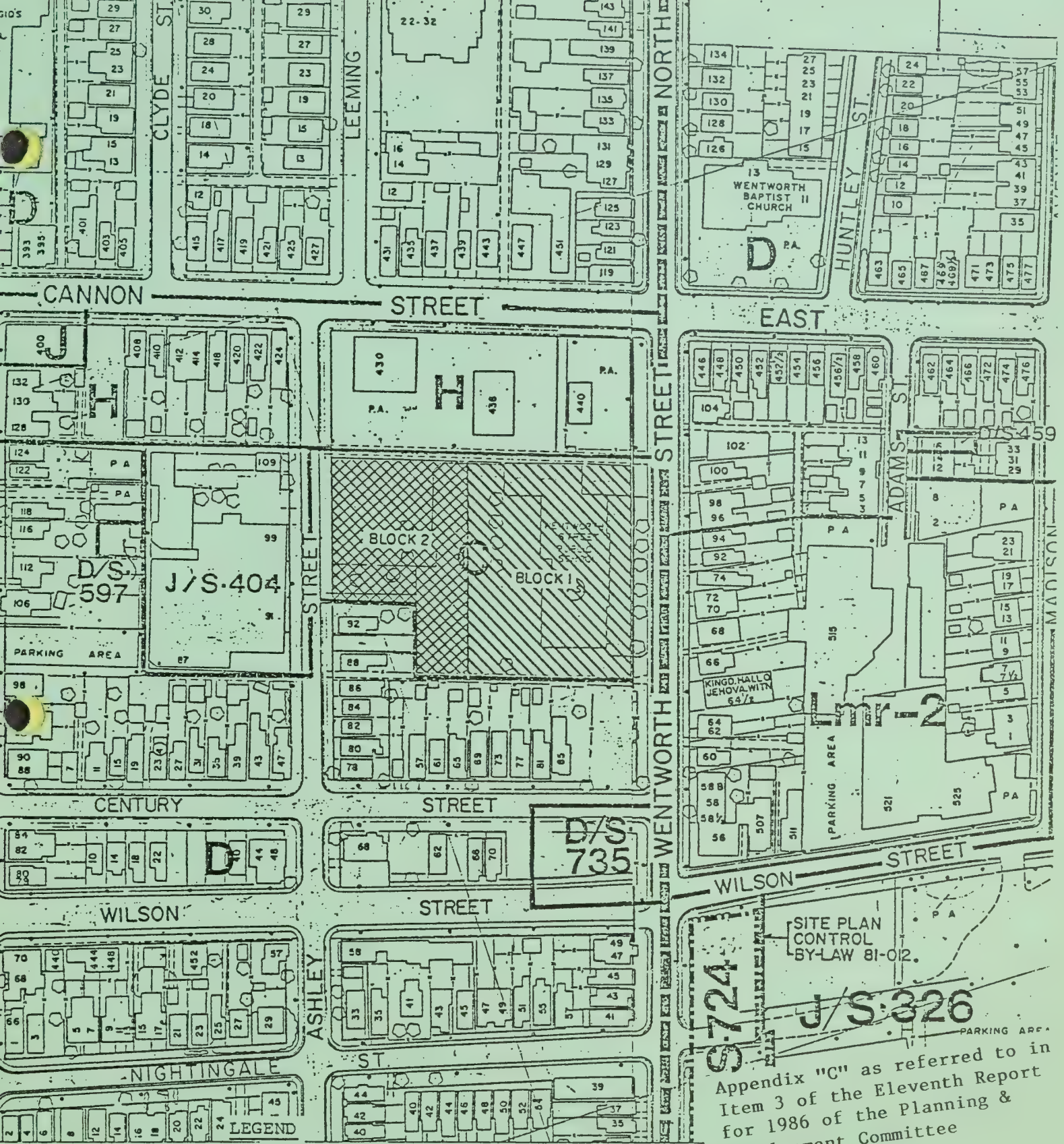
LEGEND:





SITE OF THE APPLICAT.

Appendix "B" as referred to in Item 2 of the Eleventh Report for 1986 of the Planning and Development Committee

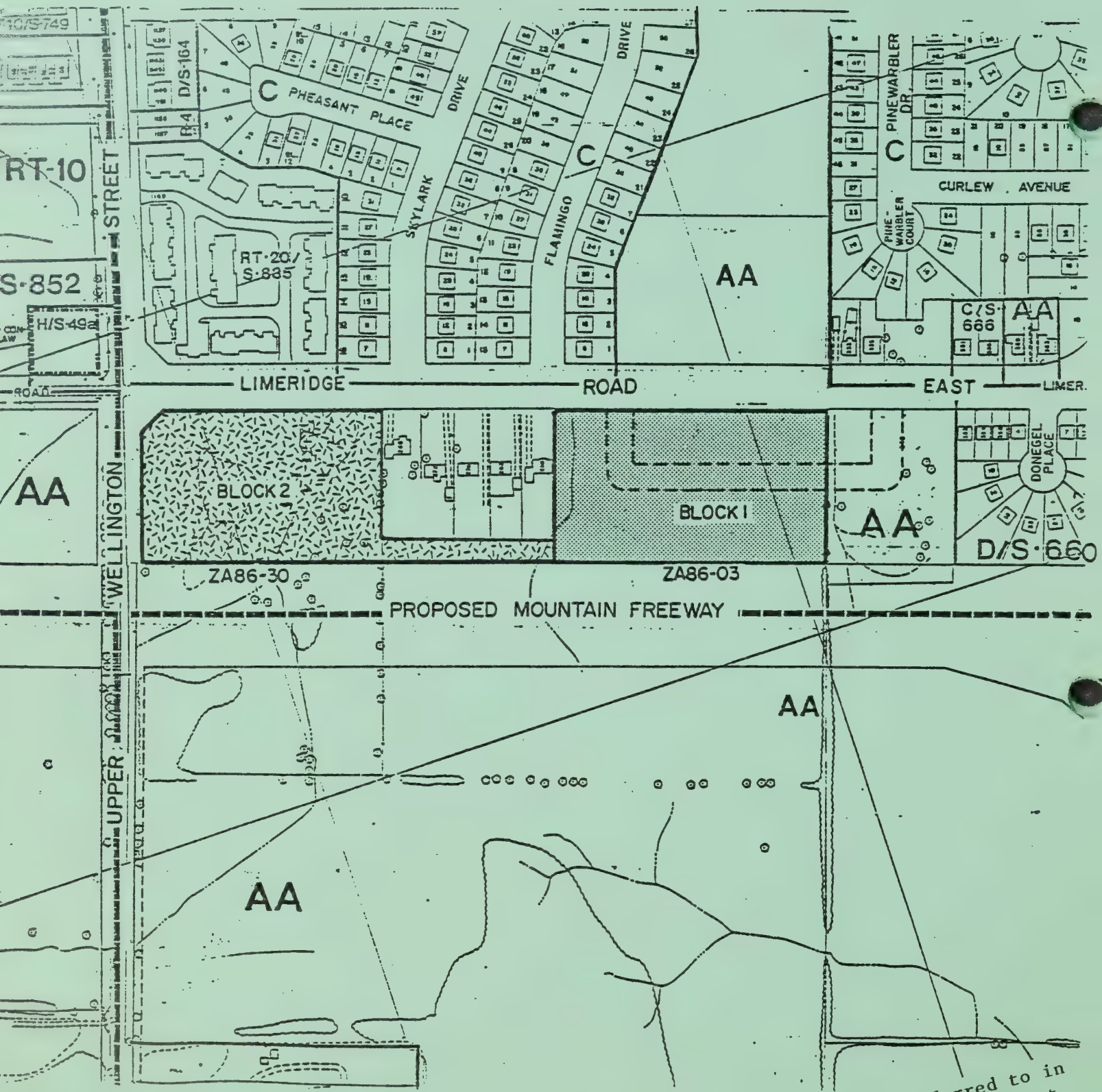




Proposed Change in Zoning From:

-  "C" (Urban Protected Residential, etc.) District to "D-S" (Multiple Dwellings) District.
 "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District.

Appendix "C" as referred to in Item 3 of the Eleventh Report for 1986 of the Planning & Development Committee



LEGEND:

PROPOSED CHANGE IN ZONING FROM "AA" (AGRICULTURAL

BLOCK 1

"R-4" (SMALL LOT SINGLE - FAMILY DETACHED) DISTRICT, MODIFIED.

BLOCK 2

"RT-20" (TOWNHOUSE - MAISONETTE) DISTRICT.

Appendix "D" as referred to in
Item 4 of the Eleventh Report
for 1986 of the Planning and
Development Committee



LEGEND

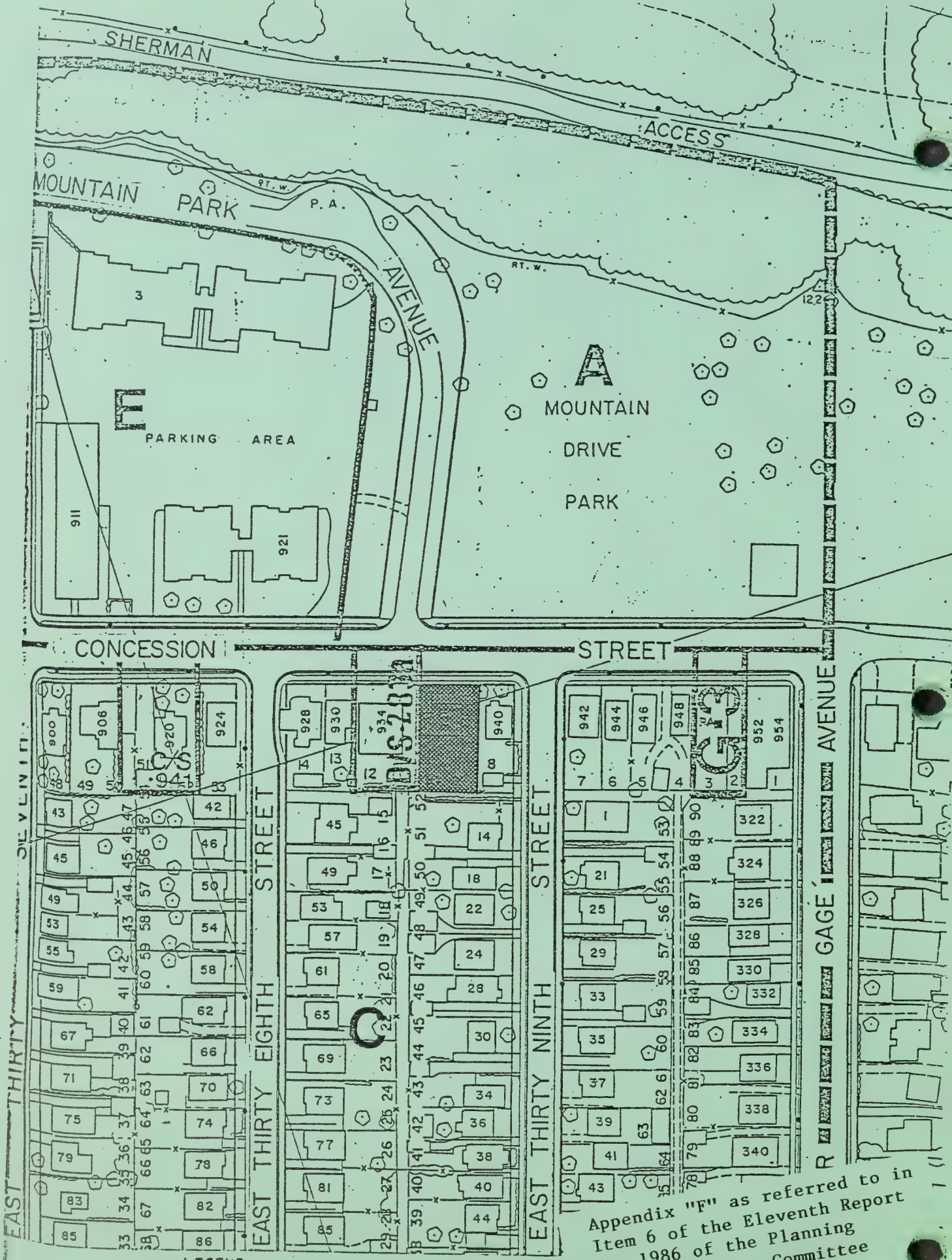
BLOCK 1

Change in Zoning from "D" (Urban Protected Res Dwellings, etc.) District to "H/C" (Community S District, Modified).

BLOCK 1 BLOCK 2

Site of the Application

Appendix "E" as referred to in Item 5 of the Eleventh Report for 1986 of the Planning and Development Committee



Appendix "F" as referred to in Item 6 of the Eleventh Report for 1986 of the Planning and Development Committee



THIS IS SCHEDULE "A" TO BY-LAW No. 83-229
PASSED THE 27th DAY OF July, 1983

[Signature]
Clerk

[Signature]
Mayor

CITY OF HAMILTON

SCHEDULE "A" as referred to in
Appendix "G" of the Eleventh Report
Item 8 of the Planning &
Development Committee
for 1986 of the Planning &
Development Committee

Regional Municipality
Planning and Devt

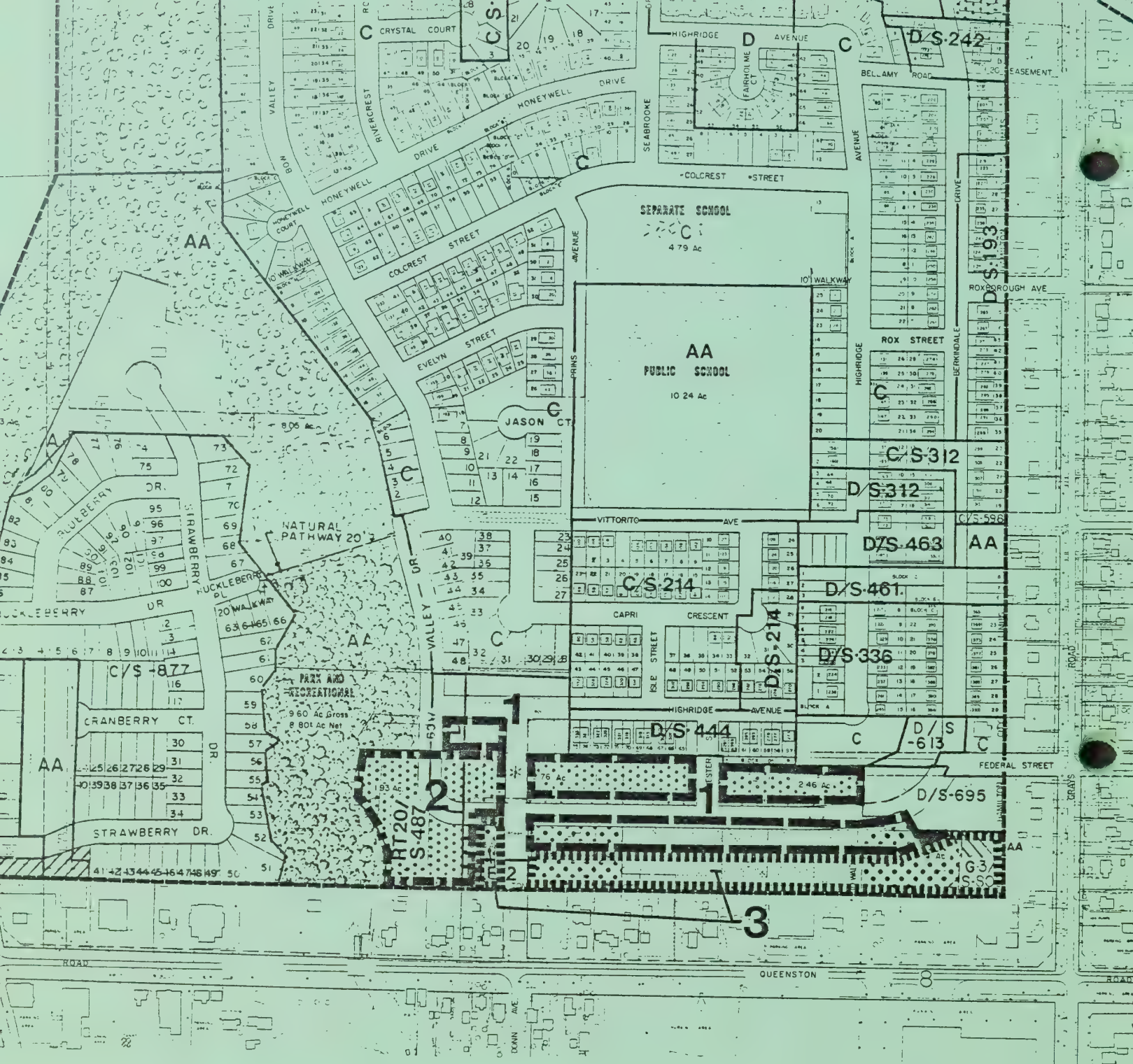
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ET No. W-46 TO BE
BY-LAW No. 83-229

Reference File No.
C.I. 81-2

Date
83-07-07

Drawing No.



THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE
FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

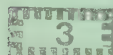
PROPOSED CHANGES



1 SINGLE & DOUBLE FROM SINGLE & DOUBLE, ATTACHED HOUSING, LOW DENSITY APARTMENTS & MEDIUM DENSITY APARTMENTS.



2 ATTACHED HOUSING FROM ATTACHED HOUSING AND MEDIUM DENSITY APARTMENTS.



3 COMMERCIAL- SPECIAL PROVISIONS FROM LOW DENSITY APARTMENTS MEDIUM DENSITY APARTMENTS AND COMMERCIAL.
● AREA TO BE SUBJECT TO SITE PLAN CONTROL INCLUDING A 6.0 Metre WIDE LANDSCAPED STRIP AND 2.5 Metre HIGH CLOSED FENCE
● ACCESS TO BE FROM QUEENSTON ROAD/HWY. 8

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.

Commercial & apts.

COMMERCIAL

- CIVIC & I.
- PARK & R
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary

Approvals
Planning Bd. MAY 5, 1984 Council JULY 30, 1988
Revisions

CITY OF HAMILTON
PLANNING

Appendix "H" as referred to in
Item 9 of the Eleventh Report
for 1986 of the Planning &
Development Committee



0 10 20 30 40 50

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
- 1. That the transferee shall commence construction of a building, having a minimum building area of 15,000 square feet, upon the hereinbefore described land by not later than March 8th, 1987.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
 - 2. That the transferee shall complete construction of the said building by not later than March 8th, 1988.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
 - 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "I" as referred to in
Item 26 of the Eleventh Report
for 1986 of the Planning &
Development Committee

D 35

used..... 1(b)

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
1. That in the event that the transferee does not comply with covenants 1 and 2 or either of the, as set out in Instrument No. 343853 C.D., by the date (s) set out therein, the transferee covenants and agrees that the transferee shall, in addition to complying with covenant 3 set out in Instrument No. 343853 C.D., sell the lands described herein, to the transferor, free and clear of all charges encumbrances, liens, claims or adverse interests whatsoever, if requested by the transferor, for the sale price herein (without any interest) less
 - (a) the deposit;
 - (b) the commission paid (if any) by the transferor to a real estate agent;
 - (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them and further, without increase or compensation for costs of any improvements additions, alterations, services or structures on, in or under the said lands.
 2. It is further understood and agreed that nothing herein affects the covenants in Instrument No. 343853 C.D. and that the said covenants in Instrument No. 343853 C.D. remain in full force and effect.

Continued 1/2

Appendix "J" as referred to
in Item 27 of the Eleventh
Report of the Planning and
Development Committee for 1986

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.
- 6.6 It is understood and agreed that on the day the City delivers a deed of the herein-described land and the transferee pays consideration therefor, the transferee shall register the said deed.
- 6.7 It is further understood and agreed that at the time of registration of the deed from the City of the land herein described, O'Sullivan Automotive Limited shall be the owner of the land described in Instrument No. 353853 C.D.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its EIGHTH for 1986 and respectfully recommends:

1. That the annual fee paid to Dr. J. D. Bell for services rendered in conducting annual medicals for the Hamilton Fire Department be increased by 4% from \$5,090.80 to \$5,294.43 for the year 1986.
2. (a) Approval of the establishing of the position of Waterfront Project Co-ordinator, Architect's Department, Salary Schedule 114, \$28,283.84 - \$33,730.32 per annum.
- (b) That Mrs. Jane Tollefson, presently receiving \$29,976.32 per annum as "Community Renewal Officer" in the Community Development Department, be appointed to this position, effective May 5, 1986.
3. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1986 May 15, as set out on the list attached hereto as Schedule "A".
4. That City Council reaffirm its policy pertaining to the employment of citizens to The Corporation of the City of Hamilton, which reads as follows:

"In the matter of employment of citizens by The Corporation of the City of Hamilton:

Whereas all citizens with appropriate qualifications applying must receive equal consideration for such available positions.

Be it resolved:

That no elected official, appointed officer, or employee of The Corporation of the City of Hamilton shall attempt to influence the hiring of any applicant by way of making recommendations either in writing or verbally on behalf of any applicant.

NOTE: For the information of the Members of Council the foregoing policy was developed in order to remove any doubts which may exist in the matter of selection for Civic Service, and to establish the fact that all appointments made are on the basis of merit and ability rather than appointments generated by political or internal pressures of established civic employees."

For the information of the members of City Council this policy was originally adopted by City Council in adopting Section 3 of the Eighth Report of the Personnel Committee, as amended, at its meeting held May 10, 1983.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary
1986 May 21

SCHEDULE "A"

Referred to in Section 3 of the EIGHTH Report
of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Randy Guenther	Street Sweeper Oper., Flusher Dr., Truck Driver & Labourer	Public Works	replacing William Whyte - transferred	D-9/7/5	\$11.202/ \$11.087/ \$10.961 per hour (prob. rates)	Apr. 21/86
Mr. Robert Kalapos	Labourer	Parks Division of Public Works	replacing G. Paolucci - retired	D-5	\$10.961 per hour (prob. rate)	Apr. 28/86
Mr. William McKay	Labourer	Parks Division of Public Works	returning to previous position as per employee's request	D-5	\$11.161 per hour	Apr. 23/86
Mr. Rory McNulty	Street Sweeper Oper., Flusher Dr., Truck Driver & Labourer	Public Works	replacing William McKay - transferred	D-9/7/5	\$11.202/ \$11.087/ \$10.961 per hour (prob. rates)	Apr. 30/86
Mr. William Miller	Labourer	Parks Division of Public Works	replacing L. Fletcher - retired	D-5	\$10.961 per hour (prob. rate)	Apr. 28/86
Mr. Wayne Milmine	Labourer	Parks Division of Public Works	replacing Abramo Segato - retired	D-5	\$10.961 per hour (prob. rate)	Apr. 28/86

Prepared May 14, 1986

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Bernhard Alken	Labourer	Parks Division of Public Works	replacing Gerald Giles - resigned	D-5	\$10.961 per hour (prob. rate)	Apr. 28/86
Mr. Donald Boyer	Foreman III (Districts)	Public Works	replacing A. Filice - promoted	13C	\$25,614.16 per annum	Apr. 29/86
Mr. Randy Burn	Street Sweeper Oper., Flusher Dr., Truck Driver & Labourer	Public Works	replacing Ronald Petrucci - resigned	D-9/7/5	\$11.202/ \$11.087/ \$10.961 per hour (prob. rates)	Apr. 21/86
Mr. Tony Christison	Labourer	Parks Division of Public Works	replacing Danny Willson - transferred	D-5	\$11.161 per hour	Apr. 28/86
Mr. P. J. Rick DiFilippo	Comptroller	H.E.C.F.I.	replacing Richard Turkstra - resigned	118	\$44,324.28 per annum	May 08/86
Mr. James Finlay	Counter Clerk	Building	new position as approved by 1986 budget	A-3	\$362.80 per week	Apr. 21/86

Prepared May 14, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Allan Ripley	Motor Mechanic Helper	Central Garage Div. of Public Works	replacing R. Heastont - promoted	D-9	\$11.202 per hour (prob. rate)	May 12/86
Mr. John Williard	Labourer	Public Works	returning to perm. position (was working as seasonal Rink Att. with Cul. & Recreation)	D-5	\$11.161 per hour	Apr. 14/86
Mr. Robert Williamson	Labourer	Public Works	returning to perm. position (was working as seasonal Rink Att. with Cul. & Recreation)	D-5	\$11.161 per hour	Apr. 29/86

715

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Bernhard Alken	Tree Climber	Parks Division of Public Works	laid off	2 1/2 months	Apr. 25/86
Mr. John Ashurst	Garbageman	Public Works	deceased	30 years & 11 months	Apr. 16/86
Mr. Timothy Black	Refrigeration/AC Technician	Copps Coliseum Div. of H.E.C.F.L.	resigned	6 months	May 11/86
Mr. Tony Christison	Tree Climber	Parks Division of Public Works	laid off	2 1/2 months	Apr. 25/86
Mr. Robert Kalapos	Tree Climber	Parks Division of Public Works	laid off	2 1/2 months	Apr. 25/86
Mr. Norman McMenemy	Co-ordinator of Community Renewal	Community Development	resigned	15 years & 7 months	May 2/86
Mr. William Miller	Tree Climber	Parks Division of Public Works	laid off	2 1/2 months	Apr. 25/86
Mr. Wayne Milmine	Tree Climber	Parks Division of Public Works	laid off	2 1/2 months	Apr. 25/86
Mrs. Sandra O'Connor	Stenographer III	Building	resigned	2 years & 8 months	May 9/86
Mr. Danny Wilson	Truck Driver & Labourer	Public Works	resigned	5 years & 11 months	May 2/86

Prepared May 14, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. John Bovaird	Foreman III (Districts) (temporary)	Public Works	replacing Raymond Hands - L.T.D.	13C	\$25,614.16 per annum	May 5/86
Mr. Michael Leroux	Equipment Mechanic II (temporary)	Central Garage Div. of Public Works	replacing Gary McKechnie - temp. promoted	D-11	\$11.386 per hour (prob. rate)	Apr. 28/86
Mr. George Nikolica	Foreman III (Districts) (temporary)	Public Works	replacing Ronald Farthing - temp. promoted	13C	\$25,614.16 per annum	May 5/86
Mr. John Tosic	Equipment Mechanic II (temporary)	Central Garage Div. of Public Works	replacing A. Fletcher - temp. promoted	D-11	\$11.386 per hour (prob. rate)	Apr. 28/86

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Michael Langille	Caretaker (temporary)	Prop. Mtce. Div. of Real Estate	laid off	4 months	May 9/86

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Finance Committee presents its FIFTEENTH Report for 1986 and respectfully recommends:

1. (a) That the following revised 1986 grant recommendations be approved as a result of the appeals of the previous grant recommendations:

Applicant	Grant Type	1986 Request	Previously Approved 1986 Grant	Revised 1986 Grant
McQuesten Community Association	General	6 100	Denied	2 000
New Group Theatre	General	3 000	Denied	3 000
Hamilton Pontiacs Ladies Softball	Convention/ Reception	1 240	500	1 160
Hamilton Children's Choir	General	700	Denied	700
826 Air Cadet Squadron	General	1 500	Denied	Refer to Region
Cycle Hamilton	General	10 000	5 000	5 000

- (b) That the general grants referred to in (a) above be placed in Category (4) One-time Only on the understanding that all grants and grant categories be reviewed in greater detail during 1986.

- (c) That the above increased grant amounts totalling \$6 360 be funded from the Unallocated Grant Funds account 0374-0601.

NOTE: City Council approved the 1986 Grants at its meeting 1986 April 29, as Item 6 of the Twelfth Report of the Finance Committee. Item 6(b) and (c) of that report referred to new Convention/Reception Grants and General Grants respectively. These grants were allowed an opportunity to appeal the decision and the results of the appeals heard to date are reflected above. Subject to approval of the revised grant amounts above, the balance of the Unallocated Grant Funds would be \$2 130.

2. (a) That, subject to the execution of an agreement satisfactory to the City Solicitor, and subject to the ability of the Hamilton Yacht Club to enter into such an agreement, that the Hamilton Yacht Club be given an interest free loan in the amount of \$15 000, said loan to be repaid to the City of Hamilton in equal payments of \$5 000 over a three-year period with the first payment due 1987 June 1.
- (b) That this amount be set aside in the allocated portion of the Contingency Account 0378-2798.
3. (a) That the City provide up to an additional \$30 000 towards the relocation costs for Hamilton Theatre Inc.
- (b) That the funds be drawn from Account 0280--32, Reserve for Property Services.

NOTE: City Council in approving the Nineteenth Report of the Finance Committee, on 1985 October 29, agreed to contribute the sale price of \$75 000 to Hamilton Theatre Inc. to assist them in purchasing new premises and also provide for a further \$40 000 in relocation costs. Relocation costs have been re-estimated at approximately \$140 000 and Hamilton Theatre Inc. has applied to Wintario to match the contribution of the City, therefore, the new figure required from the City is \$70 000.

4. That the approximate cost of \$51 350 to cover replacement staffing requirements in the Inspection Division of the Building Department, effective 1986 June 1, be financed by a transfer from the contingency account 0378-1198 to the appropriate Building Department accounts.

NOTE: The Planning and Development Committee, at its meeting 1986 May 14, considered the hiring of two inspectors to replace an inspector who is presently off on sick leave and another whose union involvement keeps him away from work a substantial amount of time. This matter was referred to in item 20 of the Eleventh Report of the Planning and Development Committee.

5. That an order be placed with Ruffell Construction Ltd., Hamilton for the supply and installation of Wall Insulation at the Canadian Football Hall of Fame, for a total of \$12 800 including all taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: The lowest of six tenders received. Funds provided in account 0408 A3525.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council.

6. That approval be given to inform the Board of Education that the City of Hamilton does not require McIlwraith School located at 50 Murray Street West.

NOTE: On 1986 March 14, the Board of Education advised that McIlwraith School was available for sale.

Municipal departments were circularized on their requirements for the subject school.

As it is not required for any municipal purpose at this time, we are recommending that the Board be so advised.

7. (a) That the claim of James and Janice Thompson be settled in the amount of \$5 248.35, inclusive of interest and costs.

NOTE: On 1985 May 17, James Thompson was operating his motorcycle on Beacon Avenue near its intersection with Moxley Drive when he lost control due to oil on the roadway. Investigation revealed that the oil came from a City garbage truck. Mr. Thompson suffered injury to his right shoulder, arm, elbow and knee and claimed together with his wife damages totalling \$20 000.

- (b) That the claim of Kathleen MacLeod in the amount of \$2 300 inclusive of interest and costs with the City contributing \$920 (2/5ths), Corham Developments Ltd. contributing 4(20 (2/5ths) and O'Brien Contracting Inc. contributing \$460 (1/5th).

NOTE: Miss Kathleen MacLeod fell on the municipal sidewalk in front of Park Place on King Street East on 1984 October 23. She suffered a sprain of her right wrist, contusions to her left knee, facial laceration and scratched right cornea and claimed damages exceeding \$15 000. At the location of her fall the paving bricks were cut to make a joint which condition is alleged to have caused her fall.

8. (a) That Scott Computer Lease 733 for the Card Reader/Punch be extended for 30 months from 1986 June 1 at a reduction of \$695 per month from \$895 per month to \$200 per month effective to 1988 November 30.
- (b) That the City Treasurer be authorized to consolidate the current Scott Leases 730, 731, 732 and 733 (as amended by (a) above, and lease 737 into one master lease in a form satisfactory to the City Solicitor.

NOTE: There would be no increases to the monthly charges nor increases in the lease terms.

- (c) That until such time as the consolidated lease is executed, the monthly lease payments to Scott Computer Leasing Inc. be continued as follows:

Lease 730	--	\$15 554 per month
Lease 731	--	\$21 680 per month
Lease 732	--	\$ 5 075 per month
Lease 733	--	\$ 1 449 per month

9. (a) That the City of Hamilton convert the Computer operating system from OS/VSl TO MVS/XA.
- (b) That the Director of Purchasing be authorized to issue a Request for Proposals for the supply and delivery of a compatible Central Processing Unit and associated computer peripheral devices as necessary in order to install the MVS/XA operating system.
- (c) That the Request for Proposals include separate proposals for the upgrading of the disk drives from model 3375 to model 3380 and associated disk peripheral devices.
- (d) That the Request for Proposals be in a form satisfactory to the City Solicitor.
- (e) That the City Treasurer be authorized to proceed with the employee training and other preparation activities required in order to install the MVS/XA operating system.
10. (a) That the Director of Purchasing be authorized to issue a Request for Proposals, to suitably qualified service companies, for a service agreement for the offsite security storage of backup computer tapes, disks, diskettes and microfilmed documents.
- (b) That the Request for Proposals be in a form satisfactory to the City Solicitor.
11. That the City of Hamilton endorse the action taken by the Region of Hamilton-Wentworth in directing the Regional Solicitor to submit a Brief to the Standing Committee of the Province supporting an application for Private Legislation by the St. Elizabeth Home Society, requesting the Bill be amended to provide for:
- (a) No retroactivity prior to January 1, 1986.
- (b) Revision of assessment status to multiple family status immediately upon change of use from "not for profit" retirement accommodation.

NOTE: St. Elizabeth Village, 393 Rymal Road West, Hamilton, Ontario provides accommodation for senior citizens. Each resident leases the property and is responsible for monthly expenses including taxes. St. Elizabeth's is seeking a change in the basis of assessment from multiple family units (25.532% of market value) to single family units (10.469% of market value).

The Brief to the Standing Committee will indicate that the City and Region have no objection to the passage of this Bill providing the change is not retroactive prior to January 1, 1986 and the assessment reverts back to its prior status upon change of use.

Respectfully submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN

R. C. Prowse
Secretary

1986 May 20

NOTICE OF MOTION

NOTICE OF MOTION - ALDERMAN D. CHRISTOPHERSON

RESOLVED: That "Procedural By-law" Number 82-203 be amended by adding the following as Section 17A:

"17A. Notwithstanding Section 17, any member of the Council may request, through the Mayor or Chairperson, to have the member's vote recorded prior to the results of the vote being declared by the Mayor or Chairperson."

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-865".

5. Sheets No. E-87 and E-88 of the District Maps are amended by marking the lands referred to in clause 1(a) of this by-law, "S-865".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

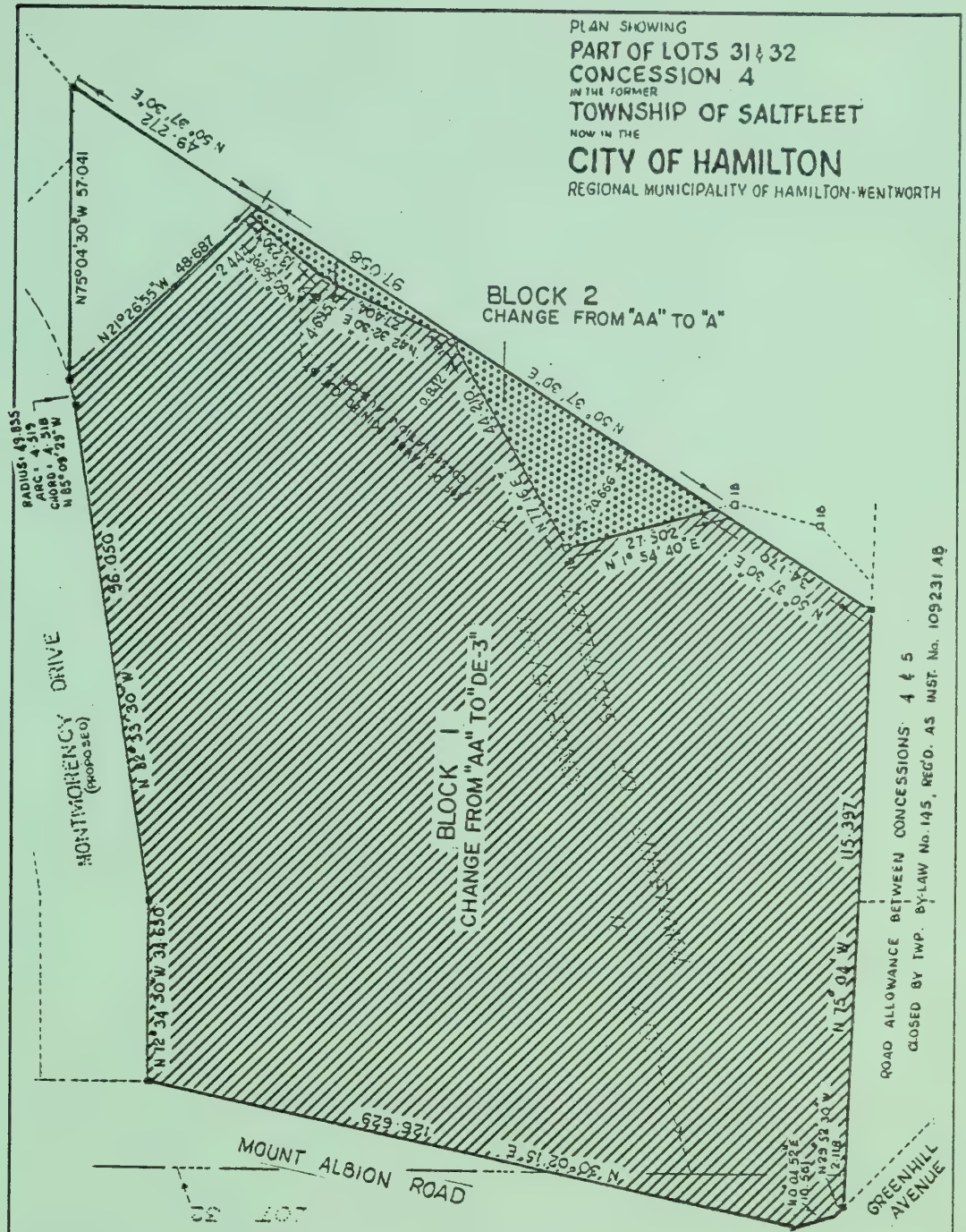
PASSED this day of A.D. 1986.

City Clerk

Mayor

(1984) 6 R.P.D.C. 4, April 10
McNally Bros. (1965) Limited, Owner
ZA-84-02

PLAN SHOWING
 PART OF LOTS 31 & 32
 CONCESSION 4
 IN THE FORMER
 TOWNSHIP OF SALTFLEET
 NOW IN THE
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



THIS IS SCHEDULE "A" TO BY-LAW NO.
 PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 86-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (Agricultural)
 DISTRICT TO:

"DE-3" (MULTIPLE DWELLINGS) DISTRICT.
 BLOCK 1

"A" (CONSERVATION, OPEN SPACE, PARK AND
 RECREATION) DISTRICT.
 BLOCK 2

North



Scale

1:1000

Reference File No.

ZAB4-02

Date

85-05-16

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 124 WALNUT STREET SOUTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593 is amended,

- (a) by changing from "L-mr-2" (Planned Development - Multiple Residential) district, to "E" (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 11(1) of By-law No. 6593, the following:

- (i) RESIDENTIAL USE shall not be prohibited:

- 1. A multiple dwelling containing not more than 35 dwelling units for the accommodation of only elderly residents of at least 60 years of age, within the building existing on the day of the passing of this by-law;

- (b) notwithstanding subsection 11 (3) of By-law No. 6593, all yards existing on the day of the passing of this by-law shall be retained;
- (c) notwithstanding subsection 11 (6) of By-law No. 6593, not less than 20% of the area of the lot on which the building is situate shall be landscaped;
- (d) notwithstanding paragraph 1(g) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 13 parking spaces shall be provided and maintained;
- (e) Table 3 of clause 18A(1)(c) of By-law No. 6593 shall not apply;
- (f) subsections 18A(11), 18A(12) and 18A(14) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-950".

5. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-950".

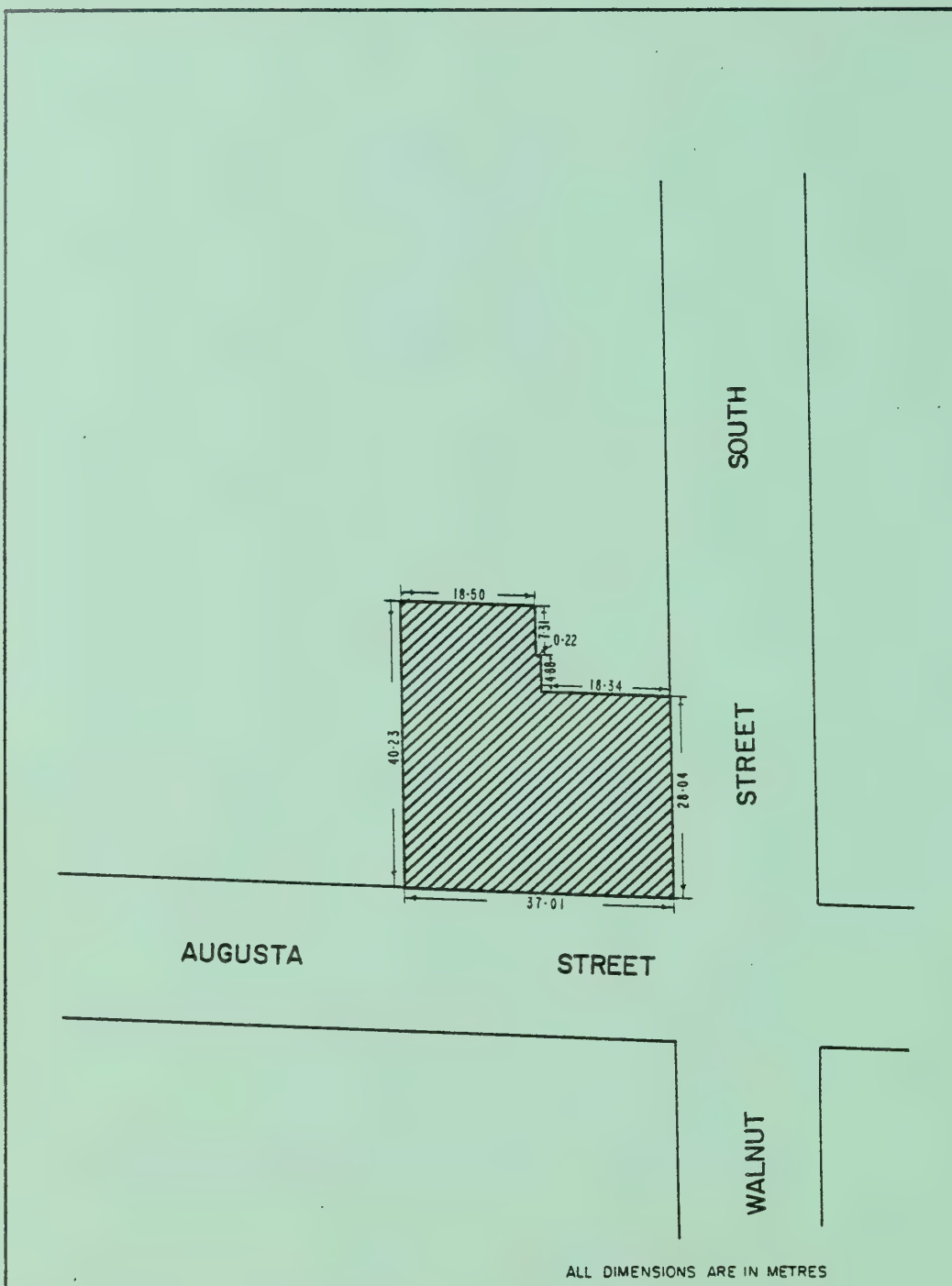
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 6 R.P.D.C. 1, March 11
Wentworth Construction Planning,
Prospective Owner
Amended ZA-85-111



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86 -
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "Lmr-2"(PLANNED
DEVELOPMENT - MULTIPLE RESIDENTIAL)
DISTRICT TO "E"(MULTIPLE DWELLINGS, LODGES,
CLUBS, ETC.) DISTRICT.

North



Scale

1: 750

Reference File No.

ZA 85-III

Date
86-03-04

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 824 FENNELL AVENUE EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-36 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district, to "H" (Community Shopping and Commercial, etc.) district, the land comprised in Block 1,

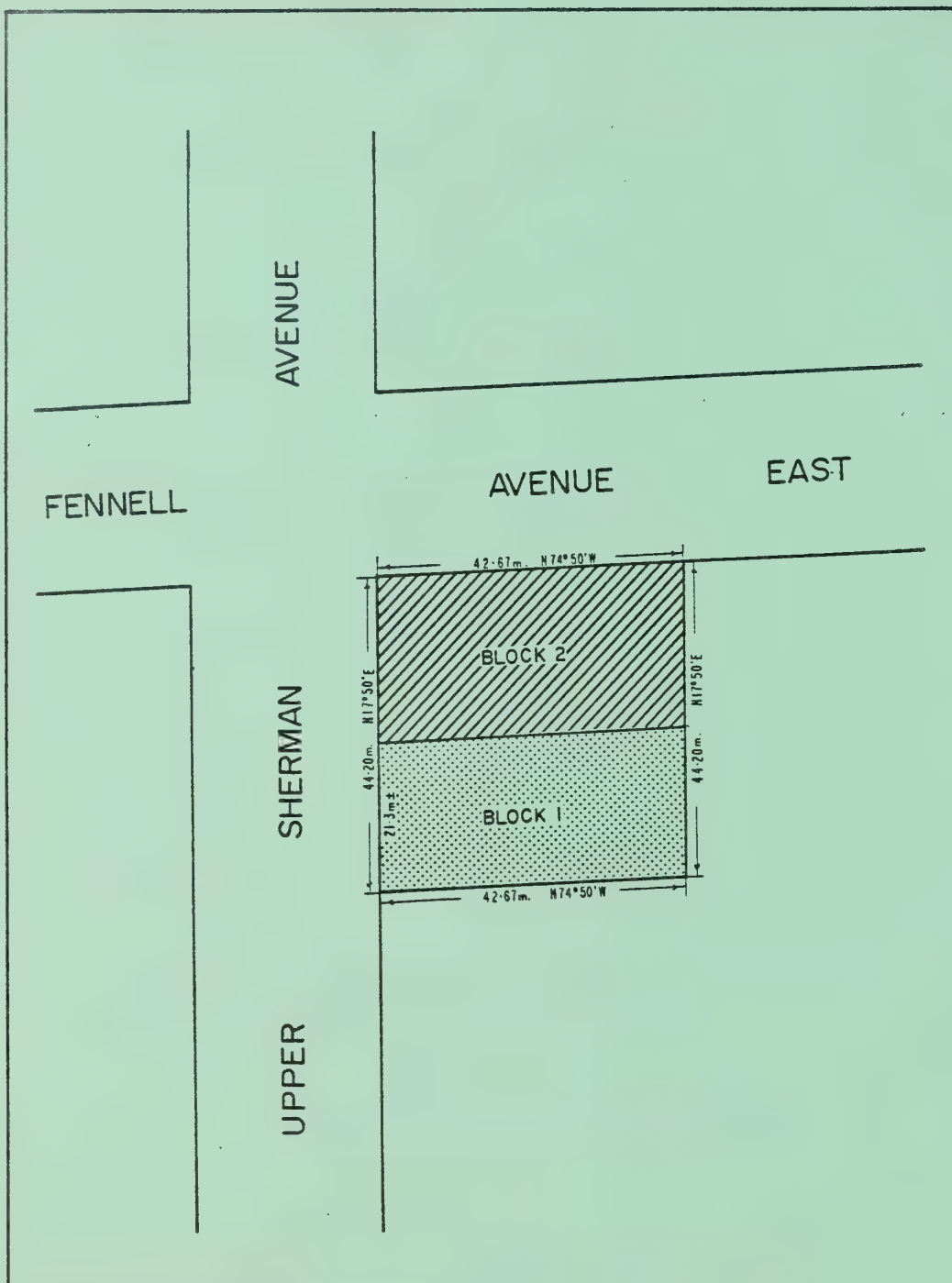
the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



BLOCK 1

CHANGE IN ZONING FROM "C" (URBAN PROTECTED
RESIDENTIAL, ETC.) DISTRICT TO "H" (COMMUNITY
SHOPPING AND COMMERCIAL, ETC.) DISTRICT.



BLOCK 1

LANDS TO BE REGULATED BY BY-LAW NO.86-

BLOCK 2

North



Scale
1 : 750

Reference File No.
ZA86-13

Date
86-04-18

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 824 FENNELL AVENUE EAST

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

92. Land located at Municipal No. 824 Fennell Avenue East, shown on Appendix 92 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 92.

PASSED this

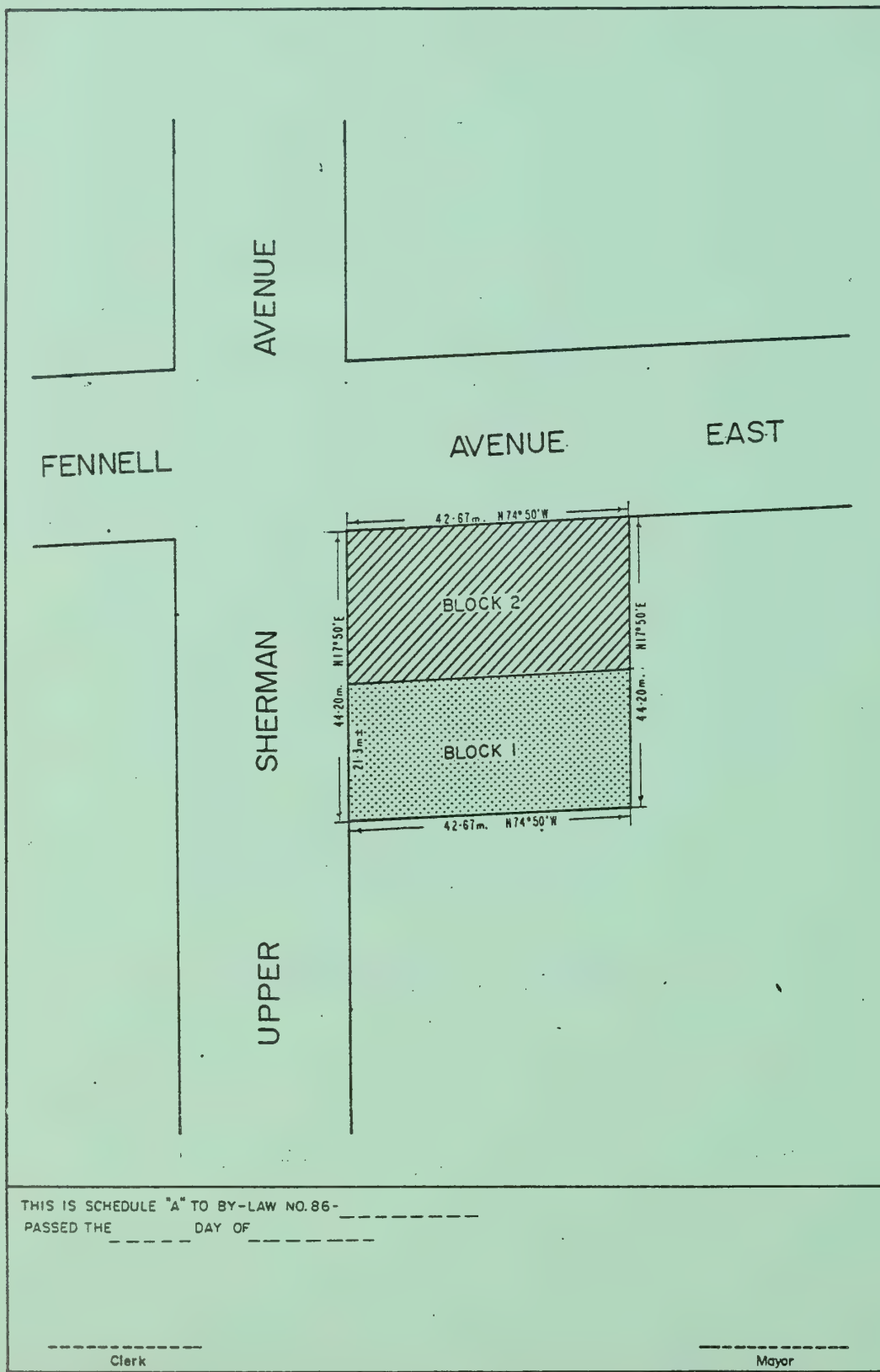
day of

A.D. 1986.

City Clerk

Mayor

(1986) 9 R.P.D.C. 1(b), April 29
Tenneco Canada Inc., Owner
ZA-86-13



LEGEND



Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 92 to By-law No. 79-275.

North 	Scale 1:750	Reference File No. ZA86-13
	Date 86-04-18	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER PARADISE ROAD,
IN THE AREA NORTH OF MEGNA COURT

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "R-4" (Small Lot Single-Family Detached) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and

(b) by changing from "R-4" (Small Lot Single-Family Detached) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

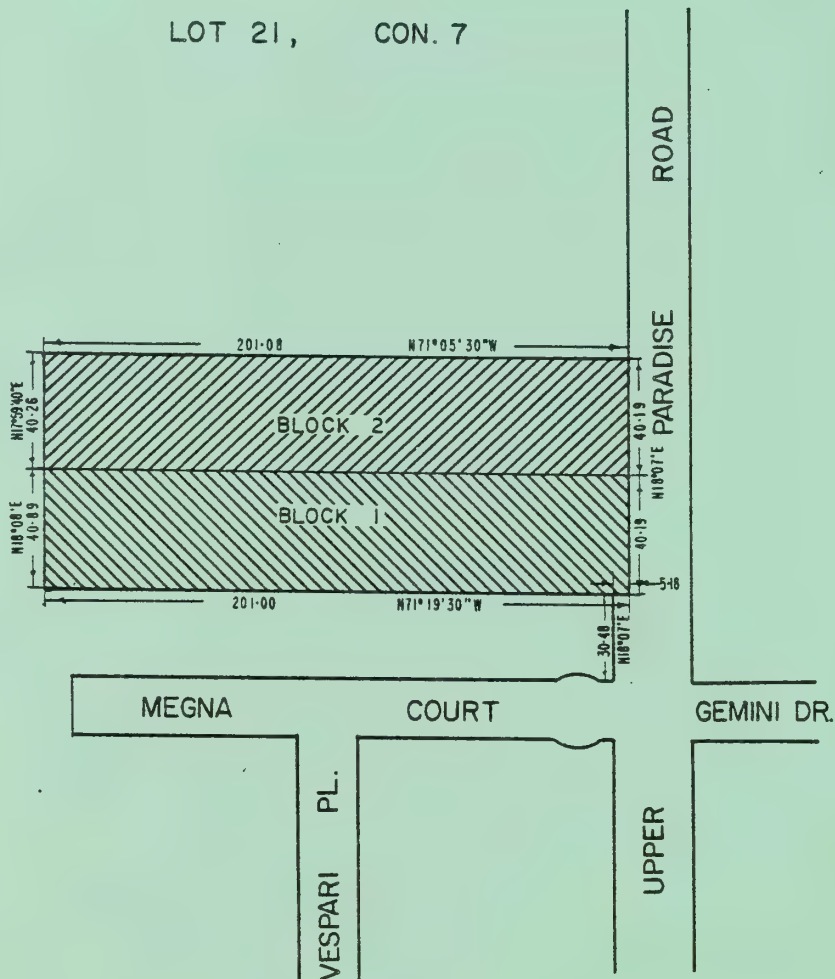
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

LOT 21, CON. 7



ALL DIMENSIONS ARE IN METRES




THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO.86-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend		
	BLOCK 1 CHANGE IN ZONING FROM "R-4" (SMALL LOT SINGLE - FAMILY DETACHED) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.	
	BLOCK 2 CHANGE IN ZONING FROM "R-4" (SMALL LOT SINGLE - FAMILY DETACHED) DISTRICT, MODIFIED TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.	
North 	Scale 1:2000	Reference File No. ZA 86-14
	Date 86-04-21	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET,
SOUTH OF THE PROPOSED MOUNTAIN FREEWAY

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) district to "RT-10" (Townhouse) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

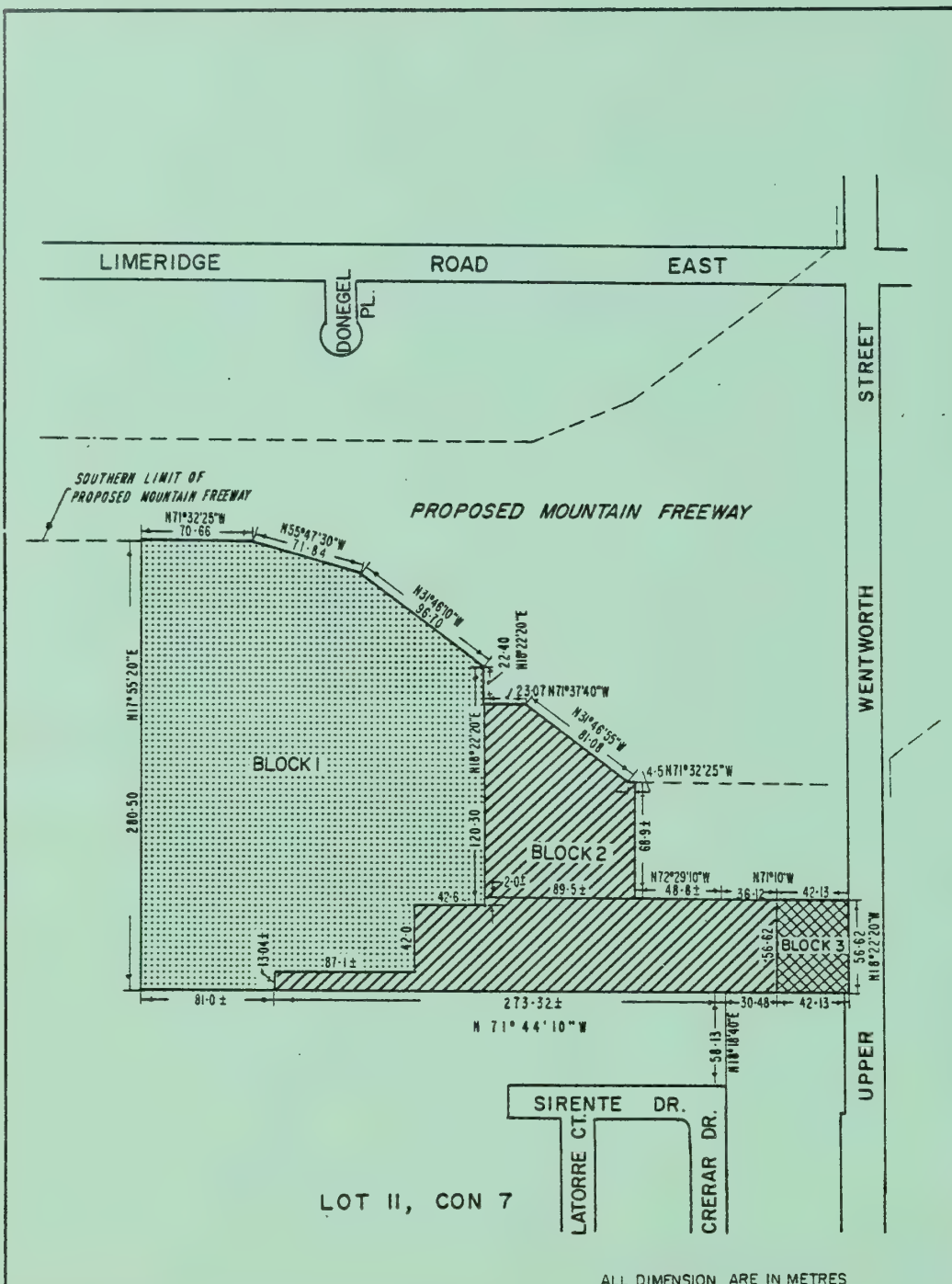
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 8 R.P.D.C. 1B, April 8
(1986) 9 R.P.D.C. 11, April 29
Benemar Construction Inc., and
R. Shelley Construction Limited, Owners
Amended ZA-85-107



ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA"(AGRICULTURAL)
DISTRICT TO:

- BLOCK 1
"C"(URBAN PROTECTED RESIDENTIAL ETC.)DISTRICT.
- BLOCK 2
"R-4"(SMALL LOT SINGLE-FAMILY DETACHED)DISTRICT.
- BLOCK 3
"RT-10"(TOWNHOUSE) DISTRICT.

North



Scale

1 : 3300±

Reference File No.

ZA 85-107

Date

86-04-17

Drawing No.

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 27th DAY OF May A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 198

CITY CLERK

MAYOR

CA4 ON HBL 1705
A31

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 June 24
7:30 o'clock p.m.
Council Chambers, City Hall

HAMILTON, ONTARIO
GOVERNMENT DOCUMENTS

A G E N D A

1. Prayer - Father Gus Smith
St. Mary's Roman Catholic Church
2. Presentations:
 - (a) Argyll and Sutherland Highlanders
- Presentation of City Flag
 - (b) Mr. Jim Lupton - Queen's Message Relay Runner
 - (c) Mr. Stephen Jacobs - Award Winner, International Science and Engineering Fair
 - (d) Mr. Tibor Sereg - Presentation from Alhambra Caravan
3. Minutes of the Meeting held 1986 May 27
4. Correspondence
Letter of Appreciation from McQuesten Community Association
5. Third Reading of Bill No. D-19 - By-law to Adopt Addendum No. 1 to the Downtown Core Area Redevelopment Plan
6. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (B) Transport and Environment Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (E) Legislation Committee
 - (F) Personnel Committee
 - (G) Finance Committee
 - (H) License Committee
 - (I) Mayor R. Morrow

- 7 Notices of Motion for next meeting
8. First reading of the Bills
9. Second reading of the Bills - Committee of the Whole
10. Third reading of the Bills
11. Question period
12. Adjournment.

C O R R E S P O N D E N C E

McQuesten Community Association

and the McQUESTEN COMMUNITY SERVICES JOURNAL

48A Parkdale Avenue North
Hamilton, Ontario
L8H 5W8

(416) 545-1070

28 May 1986

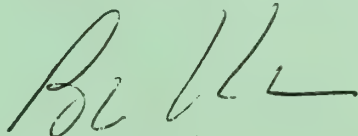
Members of City Council
c/o Mr. E. A. Simpson, City Clerk
THE CITY OF HAMILTON
City Hall, 71 Main Street West
Hamilton, Ontario, L8N 3T4

Honourable Members of City Council

We gratefully appreciate your recognition of the work of the McQuesten Community Association by virtue of your approval of a \$2000.00 grant as recommended by the Finance Committee, to support our Community House project.

Your valued support is truly rewarding for our efforts for the McQuesten community.

Yours truly
THE McQUESTEN COMMUNITY ASSOCIATION



Brian K. Owen
Secretary

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FIFTEENTH Report for 1986 and respectfully recommends:

1. (a) That the allocation for the Aldermen's offices be increased from \$425 000 to \$564 000;
(b) That the increase in costs in the gross amount of \$139 000 be financed from the Reserve for Capital Projects Account No. 0280-27.
(c) That approval be given to call tenders for the addition and alterations for the Aldermen's offices.

NOTE: A copy of the plan is available from the City Architect.

2. That the cost of reconstructing roads, curbs and sidewalks on Roxborough Avenue from Parkdale Avenue to Reid Avenue at a gross cost of \$390 000 be financed from the 1986 Unallocated Capital Levy Account No. 0376-0298.

NOTE: Section 62 of the Twelfth Report of the Transport and Environment Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

3. That the following reductions be made to amounts previously approved by Council for extra charges payable to Pigott Construction Limited, on Copps Coliseum.

These extra charges were added as Cash Allowances at the time that the additional work was required, and the following changes are to adjust these allowances to the actual amounts required.

- a) Reduce allowance for private boxes from \$600 100 to \$377 286 which is the actual amount spent to date. The remainder to be held in a separate account for completion of the remaining boxes, outside the Pigott Contract.

Reduce Pigott total appropriation by: $(\$600\ 100 - \$377\ 286) = \$222\ 814$

- b) Reduce allowance for Retail Space Corridor on ground level from \$230 000 to \$46 897, which is the actual amount spent to date. The remainder to be held in a separate account for later expenditure as the final disposition of this space is determined.

Reduce Pigott total appropriation by: $(\$230\ 000 - \$46\ 897) = \$183\ 103$

- c) Reduce allowance for Box Office changes from \$80 000 to \$60 000 which is actual amount spent. The remainder to be held in a separate account.

Reduce Pigott total appropriation by $(\$80\ 000 - \$60\ 000) = \$20\ 000$

- d) Reduce allowance for scoreboard installation from \$100 000 to \$92 000, which is actual amount spent. The remainder to be held in a separate account.

Reduce Pigott total appropriation by $(\$100\ 000 - \$92\ 000) = \$8\ 000$

- e) Cash Allowance of \$50 000 for work in First Aid and Security area was assigned to Pigott, but work was done under separate contracts with other contractors. No work was done by Pigott. This allowance to be retained in a separate account.

Reduce Pigott total appropriation by - \$50 000

The revised total approved amount for the Pigott Construction Ltd. contract after these revisions is as follows:

$\$35\ 848\ 386 - \$483\ 917 = \underline{\$35\ 364,469}.$

4. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway in the block bounded by Charlton Avenue, Caroline Street, Herkimer Street and Hess Street at an estimated cost of owner's share of \$10 214.08, as well as City's share of \$25 185.92, by the issuance of debentures totalling \$35 400. for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$35 400 for a term not to exceed 15 years for the above project.

NOTE: Section 61 of the Twelfth Report of the Transport and Environment Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

5. That the estimated initial capital cost of \$40 000 for the replacement of furniture, supplies and renovations to the dining facilities at Dundurn Castle be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: Section 6 of the Sixteenth Report of the Parks and Recreation Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

6. That the cost of implementing the Commercial Facade Loan Programme at a gross cost of \$100 000 be financed from the Reserve for Capital Projects Account No. 0280-214417.

NOTE: Section 10 of the Twelfth Report of the Planning and Development Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

7. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct Road Access -Riverdale East Neighbourhood at an estimated cost of \$377 000, with no eligible subsidies, by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$377 000 for a term not to exceed 15 years

NOTE: Section 65 of the Twelfth Report of the Transport and Environment Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

8. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct a finished roadway on Imperial Street from Sherman Avenue to the east end at an estimated cost of owner's share of \$71 008.40, as well as City's share of \$106 991.60, by the issuance of debentures totalling \$178 000 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$178 000 for a term not to exceed 15 years for this project.

NOTE: Section 63 of the Twelfth Report of the Transport and Environment Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

9. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of the James Street North Streetscape at an estimated cost of \$1 764 400, with no eligible subsidies, by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$1 764 000 for a term not to exceed 15 years.

- (b) That the financing for 1986, in the gross amount of \$160 400 be financed from the Reserve for Capital Projects, Account No. 0280-27, on an interim basis pending OMB approval.

NOTE: Section 13 of the Twelfth Report of the Planning and Development Committee, makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

10. That approval be granted for the ground floor alterations proposed in the Central Library, the costs of which are provided for in the Library Board Budget. These changes involve the information desk, audio-visual department, and centre for the disabled.

NOTE: The estimated cost of the work is \$15 000 and the funds are available in Library Account No. 2283 "Reserve for Repairs to Buildings".

11. (a) That the two (2) capital grants to the Hamilton Society for the Prevention of Cruelty to Animals, one for \$77 000 related to the construction of the addition to their Parkdale Avenue building and the other related to the first year of a four year equipment replacement program in the amount of \$72 000 for 1986, be approved.
- (b) That the total amount of \$149 000 be financed from the Reserve for Capital Projects Account No. 0280-27.
12. (a) That the following capital projects for Copps Coliseum as provided for in the 1986 portion of the 1986 - 1990 Capital Budget be proceeded with.
- | | | |
|-------|--|-------------------------|
| i) | provision of Standby Pumps in the Ice Making System.... | \$ 25 000 |
| ii) | improvements to House Sound System..... | 25 000 |
| iii) | improvements to Arena Lighting..... | 50 000 |
| iv) | modifications to Arena Dasherboards..... | 12 000 |
| v) | exterior Identification Signage, revisions/additions... | 15 000 |
| vi) | revisions to Bay Street Entrance Area | 15 000 |
| vii) | revisions to north side Removable Seating Sections | 40 000 |
| viii) | completion of Administration Office Area including
the construction of a telephone/mailroom | 150 000 |
| ix) | provision of Stage Backdrop, Stage Barrier, Blackout
Drapes, Curtain Dividers and Carpet | 65 000 |
| x) | construction modifications required to relocate the
HECFI Marketing Department Offices from Copps Coliseum
to Hamilton Place | 20 000 |
| xi) | blackout curtains required to enclose
Trade Centre/Arena | 11 500 |
| | TOTAL..... | <u>\$428 500</u> |

NOTE: The HECFI Board of Directors approved these projects at their regular meeting on June 13, 1986. Details relative to these projects are available from the Secretary, Executive Committee.

- (b) That the total cost of these projects in the amount of \$428 500 be financed from the unutilized portion of the original gross cost and debenturing authority under O.M.B. Order No. E830018 dated May 8, 1983 for the Trade Centre/Arena and be charged to Account No. 0408-U3303.

13. (a) That the following capital projects for the Central Utilities Plant as provided for in the 1986 portion of the 1986-1990 Capital Budget be proceeded with:

i) Hamilton Place - Provision of Chilled Water Standby Plant	\$ 5 200
ii) Revisions to Chilled Water System	50 000
iii) Upgrading Computerized Building Management System including the Addition of Hamilton Place to System..	261 278
TOTAL	\$361 478

NOTE: The HECFI Board of Directors approved these projects at their regular meeting on June 13, 1986.

- (b) That the City Solicitor be authorized to make application to the O.M.B. for approval to proceed with these projects at a cost of \$234 728, with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property with the balance of \$81 750 financed from work in progress Account No. 0408-K95160 and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$234 728 for a term not to exceed 15 years.

14. (a) That the following capital projects for the Hamilton Convention Centre as provided for in the 1986 portion of the 1986-1990 Capital Budget, be proceeded with:

i) construction of storage space on the second floor .	\$ 3 000
ii) purchase of four Queen Mary Banquet Carts	7 750
TOTAL	\$ 10 750

NOTE: The HECFI Board of Directors approved these projects at their regular meeting on June 13, 1986.

- (b) That the total cost of these projects in the amount of \$10 750 be financed from the Reserve for Hamilton Convention Centre Account No. 0280-46.

15. Attached for the information of the members of City Council, as Schedule "A" is a copy of a summary of Capital Projects in Progress as at April 30, 1986.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee.

16. (a) That the granting or rejection of all applications for financial assistance or subsidization from the HECFI Special Events Subsidy Fund be subject to the approval of the Executive Committee.
- (b) That the HECFI Staff and Board review all applications for subsidy and make a recommendation for consideration by the Executive Committee.
- (c) That for information purposes only, the Executive Committee report its actions on all such applications to the subsequent meeting of City Council.

NOTE: Previously forwarded to the members of City Council were copies of a report dated May 12, 1986 from the HECFI Managing Director/CEO to the Executive Committee, which provides background information relative to this matter.

17. That leave be granted to introduce the following Bill:

Bill A-14 : By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1986 June 19
/dg
att.

City of Hamilton
Treasury

Schedule "A" referred to in Section 15
of the Fifteenth Report of the Executive
Committee.

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at April 30, 1986

Item No. (1)	Project Description (2)	Month/Year of Project		Authorized Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No (8)	Budget (9)
(1-50)								
1	General Administration							
2	Energy Conservation Program - 1983	07/83	12/86	200	155	45	Yes	Yes
3	Ceramic Belting Replacement and Window Repair - City Hall	01/85	12/86	60	-	60	No	Yes
4	Energy Conservation Projects - City Hall	06/84	07/87	600	1	599	No	Yes
5	Capital Construction Grant - General Hospital	10/85	08/86	800	797	3	Yes	Yes
	Major Maintenance to Civic Buildings	05/85	07/86	200	94	106	Yes	Yes
(51-100)								
51	Protection to Persons & Property							
	Construction of Fire Station Guigley and Albright Road	07/84	08/86	840	705	135	Yes	Yes
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St. Construction	05/86	09/87	730	54	676	Yes	Yes
(201-250)								
201	Parking Authority							
	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No	Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	12/86	590	102	488	Yes	Yes
(251-300)								
251	Department of Public Works							
	Replacement of Wentworth Street Steps - Lower Section	10/85	09/86	230	128	102	Yes	Yes
252	Addition/Alterations to Yard Bldg. Ferguson Ave. N. Dist. Yard #2	11/85	06/86	125	113	12	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	08/86	293	249	44	Yes	Yes

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at April 30, 1986

Item No.	Project Description	Month/Year of Project		Authorized Gross Cost	Expended and Committed	Balance Available	Is the Project on Target? Yes or No	Budget
		Start	Finish					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
(301-350) Department of Culture & Recreation								
301	Replacement of Ice Making System - Coronation Arena	05/86	10/86	725	503	222	Yes	Yes
302	Parkland Acquisition Programme	01/85	12/87	500	1	499	Yes	Yes
303	Replacement of Ice Making System - Inch Park Arena	10/85	06/86	900	671	229	Yes	Yes
304	Replacement of Ice Making System - Parkdale Arena	05/86	10/86	725	503	222	Yes	Yes
305	Capital Grant - McMaster University - Resurfacing Track	11/85	06/86	100	100	-	Yes	Yes
306	Replacement of Ice Making System - Eastwood Arena	05/86	10/86	725	503	222	Yes	Yes
(351-400) Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/87	1,275	472	803	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	07/86	625	354	271	Yes	Yes
353	Mohawk Sports Park Stage IV	10/82	12/86	550	230	320	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	07/86	150	134	16	Yes	Yes
355	Mohawk Sports Park (Stage 5)	08/85	04/87	650	0	650	Yes	Yes
(401-450) Victor K. Copps Trade Centre/Arena								
401	Central Utilities Plant - New Equipment	05/85	09/86	140	10	130	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	10/86	40,540	39,677	863	Yes	Yes

City of Hamilton
Treasury

Page 3

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at April 30, 1986

Item No. (1)	Project Description (2)	Month/Year of Project		Authorized Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Yes or No (8)		
(701-750) Community Development Department									
701	Downtown Action Plan - Phase III B	07/86	11/86	1,300	109	1,191	Yes	Yes	Yes
702	Downtown Action Plan - Phase II	07/85	06/86	1,603	1,602	1	Yes	Yes	Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	10/84	3,529	3,522	7	Yes	Yes	Yes

1986 May 16
BLH:jc

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1986 and respectfully recommends:

1. That in order to carry out the Street Tree Trimming and Removal Program, staff be directed to undertake the following:
 - (a) prepare a report in the fall of each year outlining the areas of the City (or grids), that will be inspected and trimmed by the Forestry crews over the period from November to April
 - (b) prepare a report for the Committee and Ward Aldermen outlining the condition of the trees in each area (grid), including trees requiring yearly inspections, and trees that will be removed over the summer months, stating the reasons for removal
 - (c) where a tree is to be removed, the adjacent property owner is to be notified a minimum of two (2) weeks in advance of the removal by letter either hand delivered, or by mail.

NOTE: The Forestry Section of the Parks Division is responsible for the care, trimming maintenance and removal of City Street trees. For the purpose of this work, the City is divided in small areas known as "Grids". Each year, a number of these "Grids" are inspected by the Forestry crews and documentations are made as to the conditions of the trees in the various "Grids". Reports are compiled specifying the trees to be trimmed or removed.

2. That City Council approve the wording of the "Sewer-Street Tree Policy" as follows:

When the City receives complaints from a property owner regarding City tree roots damaging the property owner's sewer, the City shall authorize the homeowner to call a municipality selected Sewer Contractor to clean-out the resident's sewer. The Sewer Contractor will advise the resident and the City, by way of a signed affidavit, of the exact cause of the blockage.

If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean-out.

If it is determined that the sewer blockage was not caused by the roots of a City tree, the total cost of the clean-out will be assumed by the homeowner.

If a sewer clean-out is required twice or more in one year, as the result of City tree roots, the Director of Public Works will discuss the situation with the homeowner and a decision will be made to cost share either the removal of the tree or the replacement of the sewer. The replacement sewer line will be constructed of suitable material or relocated in an area where it will not be affected by roots.

If a tree is of an endangered species or historic, a decision will be made by the Director of Public Works to either continue a scheduled clean-out or to cost share the replacement of the sewer. The replacement sewer line will be constructed of suitable material or relocated in an area where it will not be affected by roots.

NOTE: In accordance with the direction of City Council on its adoption of Item 4 of the Fourth Report of the Transport and Environment Committee on 1986 ,02, 11, the "Sewer-Street Tree Policy" wording has been amended.

The present policy for the removal for City tree roots is: If the homeowner can produce two or three invoices from a sewer contractor for a sewer clean-out, indicating that the blockage of the sewer was directly attributable to the roots of a City tree, the City will cost share the removal of the tree with the homeowner.

3. (a) That all wildlife trapping services including the delivery and set-up of traps and the subsequent disposal of captured animals be consolidated in the Hamilton SPCA.
- (b) That such services be provided free of charge to the public for 1986.
- (c) That the SPCA provide such services on the basis of the following level of service:
 - i. Hours of service for trap delivery 8:00 a.m. - 8:00 p.m.
-Monday to Friday (No Saturday, Sunday or Holiday service)
 - ii. Hours of service for trap pick-up and disposal 8:00 a.m.
-12:00 noon Monday to Friday (No Saturday, Sunday or Holiday service)
- (e) That the matter of wildlife trapping services be forwarded to the Region of Hamilton-Wentworth in order to provide a consistent basis of service to all local municipalities within the Region.
- (f) That the SPCA review the fees established by other municipalities in an around the City of Hamilton to assist City Council in establishing its budget for this activity in 1987.

- (g) That the sum of \$10 000 be transferred from the Public Works Department's Account No. 0350-9600 to the SPCA.
 - (h) That an additional \$2 875, to be financed as recommended by the Finance Committee, also be transferred to the SPCA.
4. That garbage collection in the following alleys cease and that a curb-side street collection be used in its place:
- (a) Alley in the block bounded by Bold Street, Duke Street, Caroline Street and Bay Street
 - (b) Alley in the block bounded by Clyde Street, Leeming Street, Cannon Street East and Wright Avenue.
 - (c) Alley in the block bounded by Gage Avenue North, Glendale Avenue North, Mayflower Avenue and Cannon Street East.
 - (d) Alley in the block bounded by Burris Street, Fairleigh Avenue South, Delaware Avenue and Main Street East.
5. That the following apartment building(s) be added to the collection of compacted waste service provided by the City of Hamilton subject to compaction facilities being installed and operational.
- (a) 30 and 40 Harrisford Street (182 units)
 - (b) 100 Ferguson Avenue South (213 units)
 - (c) 150 Hughson Street South (53 units)
6. (a) That a purchase order be issued to Fortran Traffic Systems Limited, Willowdale, for the supply and delivery of Traffic Controllers, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:
- i. Three (3) vehicle actuated - \$8 137.35 each = \$24 412.05
 - ii. Ten (10) pre-timed - \$6 229.09 each = \$62 990.90
- | | |
|---|-------------|
| Total Purchase Order including delivery and applicable taxes; less 1% quantity discount | \$87 402.95 |
|---|-------------|
- NOTE: The only supplier to meet specifications. This equipment will be installed on Regional roadways and will be charged back to the Regional Municipality of Hamilton-Wentworth.
- (b) That an order be issued to Ibis Products Limited, Scarborough, for the supply and devlivery of Traffic Paint and Thinner as required during 1986 for the Traffic Department, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

Traffic paint - in 45 gallon drums	\$7.12 per gallon
- in 5 gallon pails	7.33 per gallon
Paint Thinner - in 45 gallon drums	4.16 per gallon

Provincial sales tax is extra at 7%.

NOTE: Lowest of six (6) tenders received. Funds provided in account 0394-3325.

- (c) That purchase orders be issued for annual supplies for the Public Works Department, for the period July 1 to December 31, 1986, in accordance with specifications issued by the Regional Engineering Department on behalf of the Region and the City, as follows:

i. MIXED PORTLAND CEMENT CONCRETE

	Supply and Delivery Premier Concrete, Hamilton within City limits	Supply and Pickup Supplier's Plant
2% Calcium Chloride	\$2.00	\$2.00
Heat-\$6.00 to Oct.31/86, \$7.00 Nov.1/86 Delivery and/or pickup		
Road and sidewalk concrete	79.23	79.23

Price per cubic metre, Federal and Provincial sales taxes included.

Regular plant hours Monday through Friday 7:030 am-5:00 pm. After 5:00 pm and before 9:00 pm - \$6.00/m³ - \$60/load

<u>Underload charges</u>	1m ³ - \$60/load
	2m ³ 40/load
	3m ³ 25/load
	4m ³ 15/load

Total unloading time allowed per load is 60 minutes. Additional time will be assessed at the rate of \$48 per hour.

NOTE: Lowest of five (5) tenders received. Funds provided in various accounts.

ii. ASPHALTIC CONCRETE

Taro Aggregates, Hamilton Mountain

Sand sheet	\$45.47 per tonne	Loaded on trucks at contractors plant
Steel slag	47.63 per tonne	
HM3	45.47 per tonne	
HM3-Fine	47.63 per tonne	
HM5	40.07 per tonne	

NOTE: Lowest of three (3) tenders received.

Liquid asphalt cement \$1.94 per litre, FOB Supplier's plant

NOTE: Selected for location of plant for pick up by various civic departments. Funds provided in various accounts.

Hot mix (cold laying) stockpiled asphaltic concrete \$52.38 per tonne. Federal and Provincial sales taxes included. Prices subject to asphalt cement prices

Red-D-Mix, Hamilton Downtown

Sand sheet	\$54.96 per tonne	Loaded on trucks at
Steel slag	44.75 per tonne	contractors plant
HM3	50.25 per tonne	
HM3-Fine	51.65 per tonne	
HM5	41.50 per tonne	

Liquid asphalt cement \$0.95 per litre, FOB Supplier's plant

Hot mix (cold laying) stockpiled asphaltic concrete
- loaded at supplier's plant, downtown Hamilton \$53.71 per tonne
- delivered to various locations 58.71 per tonne
Federal and Provincial sales taxes included. Delivered in minimum loads of 20 tonnes.

NOTE: Supplier selected for location of plant for pick up. Funds provided in various accounts.

iii. ASPHALT EMULSIONS AND PRIMER

Norjohn Contracting Ltd., Thorold

MTC Primer	\$0.400 per litre
CRS-2 delivered	0.317 per litre
CRS-2 picked up	0.305 per litre

Additional cost to supply tank - No charge
Surcharge to fill storage tank - No charge

FOB delivered, tank trucks. Federal sales tax included, Provincial sales tax extra at 7%.

NOTE: Lowest of three (3) tenders received. Funds provided in various accounts.

- (d) That purchase orders be issued for annual supplies for the Public Works Department, for the period July 1 to December 31, 1986 in accordance with specifications issued by the Regional Engineering Department on behalf of the Region and the City, as follows:

i. CORRUGATED RIVETED PIPE

The Big "O" Drain and Tile Company Ltd., Exeter

<u>Polyethylene Pipe</u> - 200mm X 1.6mm - \$5.26 lin.metre	<u>Couplers</u> \$1.71 ea.
250mm X 2 mm - 8.42	3.48

FOB delivered, Federal sales tax exempt, Provincial sales tax included

NOTE: Only tender received. Funds provided in various accounts.

ii. HELICAL CULVERT PIPE WITH ANNUAL RE-ROLLED ENDS

Clemmer Industries (1964) Ltd., Waterloo

<u>Pipe</u> - 1. 300mm x 1.6mm - \$14.11 lin.metre	<u>Couplers</u> \$4.71ea.
2. 600mm x 1.6mm - 29.04	9.68

Corrugated Pipe Co., Stratford

3. 400mm x 1.6mm - \$18.44	5.87
450mm x 1.6mm - 20.85	6.64

FOB delivered, Federal sales tax exempt, Provincial sales tax included

NOTE: 1. Lowest of six (6) tenders received
2. Only tender received
3. Lowest of six (6) tenders received. Funds provided in various accounts

iii. GUIDE RAIL CABLE

Clemmer Industries (1964) Ltd., Waterloo

1/2" galvanized, grade 220, class A - \$0.40 per lin. foot
Galvanized ends, fittings complete with wedges - \$47.94 each

FOB delivered, Federal and Provincial sales taxes included.

NOTE: Only tender received. Funds provided in various accounts.

iv. FLEX BEAM

Armco Westeel Inc., Guelph

2.5mm with hardware - \$14.33 lin.metre	
20.5" bolts	1.44 each
18" bolts	2.17 "
1.5" bolts	0.54 "

FOB delivered, Federal and Provincial sales taxes included.

NOTE: Lowest of three (3) tenders received. Funds provided in various accounts.

v. CRUSHED STONE

Lakeview Sand & Gravel Ltd., Paris

Granular "A" - Zone 11 - \$6.42 metric tonne
19mm Crusher Run - Zone 11 - \$6.49 metric tonne

FOB delivered

NOTE: Lowest of three (3) tenders received. Funds provided in various accounts.

Taro Aggregates, Hamilton

19mm blend - Zone 11 - \$7.35 metric tonne
19mm clear - Zone 11 - 7.35 "

NOTE: Lowest of three (3) tenders received.

53mm clear - Zone 11 - 7.35 "

NOTE: Lowest of two (2) tenders received. Funds provided in various accounts

FOB delivered

Steetley Lime & Aggregates, Hamilton

6.4mm Chips washed - Zone 11 - \$8.85 metric tonne, FOB delivered
9.5mm Chips washed - Zone 11 - 8.85 " "

NOTE: Only tender received. Funds provided in various accounts.

vi. SLAG

National Slag Ltd., Hamilton

Granular "A" - Zone 11 - \$8.70 metric tonne
19mm Crusher Run - Zone 11 - \$8.70 " "
19mm - Zone 11 - \$8.95 " "

FOB delivered

NOTE: Only tender received. Funds provided in various accounts.

7. (a) That a parcel of land containing 7.647 acres located along the northerly limits of Woodward Avenue be sold to Her Majesty the Queen in the Right of the Province of Ontario as represented by the Ministry of Transportation and Communication for The Province of Ontario for the sum of \$31,825.70 and that the Mayor and City Clerk be authorized to execute the Ministry's Property Purchase Agreement.

- (b) That as a condition of this sale, the City agrees, prior to closing, to grant an easement to the Regional Municipality of Hamilton-Wentworth over all of the lands for the maintenance of water and sewer pipelines.

NOTE: Part of the City's lands are required by the Ministry for roadway purposes as a widened access ramp was constructed from the Q.E.W. and the new Skyway Bridge, to Burlington Street. In addition, the Ministry has agreed to buy additional lands which were sterilized for development purposes by the Ministry's construction.

8. That the City Clerk and City Solicitor be authorized to initiate expropriation procedures to acquire approximately 200m^2 (2 150 sq.ft. more or less) of land for the extension of Trenholme Crescent westerly from Upper Kenilworth Avenue with the necessary expenditures to be charged to Account No. 0280-12.
9. That an Offer to Purchase City property having a frontage along the southerly limit of Alma Avenue, executed by Vijay Boodram and Sylvia Boodram, scheduled for closing on or before August 14, 1986, be approved and completed.

It is understood and agreed by the purchaser that the City will establish a one foot reserve along the westerly limit of the property shown as Part 5, and also along the southerly limit of Alma Avenue adjacent to the northerly limit of Part 6, in order to recover the cost of City and Regional services to establish Eva Street and Alma Street. No access to said streets will be provided until the purchaser acquires the one foot reserves. The acquisition cost of the one foot reserves will represent the cost of services as stated above.

NOTE: This property has a frontage along the southerly limit of Alma Avenue of 7.315m (23.9 ft.) containing 335.6m^2 (3 612.4 square feet). It is shown as Part 6 on Plan RA-H-309 Surveys. The proceeds of this sale, in the amount of \$1 800 are to be credited to account 0280-02. A deposit cheque in the amount of \$180 is being held by the City Treasurer pending approval of this transaction.

10. (a) That a recommendation approving an agreement between the Corporation of the City of Hamilton and the Ontario Land Corporation passed by Council April 29, 1986, be amended to include the following clauses:
- i. Where Hamilton desires from time to time to sell any part of the one-foot reserve, hereinafter referred to as the "westerly reserve", on the westerly side of Mall Road designated as Parts 2 and 7 on the aforementioned plan number 62R-6472, except the part of the said Part 7 designated as

Part 2 on reference plan of survey number 62R-6613, and also except part of the said Part 7 designated as Part 2 on Reference Plan 62R-7443, Hamilton agrees to sell such part of the westerly reserve in consideration of \$350.60 of lawful money of Canada for each metre of frontage thereof plus the actual cost of any private drain connection or private ramp related directly to such part of the westerly reserve being sold.

ii. Hamilton acknowledges that the aforesaid rate of \$350.60 for the sale of each metre of frontage of the westerly reserve has been fixed to recover for the Regional Municipality of Hamilton, its costs of installing services under Mall Road.

(b) That the Mayor and City Solicitor be authorized to execute this Agreement, satisfactory to the City Solicitor.

11. That an Offer to Purchase a portion of the one foot reserve located on the westerly limits of Mall Road be approved and completed. Executed by Costantino Construction Limited on May 23, 1986, the sale is scheduled for closing on or before August 4, 1986.

NOTE: These lands which are surplus to the City's needs, have a frontage along the westerly limits of Mall Road of 31.175m^2 (102.28 ft., more or less) and comprise an area of 9.50m^2 (102.28 sq. ft., more or less). The purchase price is \$12 635 which are the Regional servicing costs outstanding.

12. (a) That westbound traffic on Fife Street be required to stop for northbound and southbound traffic on Chestnut Avenue; and
(b) That the Traffic by-law 66-100 be amended accordingly.
13. (a) That northbound and southbound stop control be implemented at the intersection of Hadeland and Clifton Downs Road, such that the intersection will be controlled by a three-way stop; and
(b) That the Traffic by-law 66-100 be amended accordingly.
14. (a) That westbound traffic on Purdy Crescent be required to stop for northbound and southbound traffic on Greeningdon Drive; and
(b) That the Traffic by-law 66-100 be amended accordingly.
15. (a) That northbound traffic on Aurora Street be required to stop for eastbound and westbound traffic on Forest Avenue; and
(b) That the Traffic by-law 66-100 be amended accordingly.
16. (a) That eastbound and westbound stop control be implemented at the intersection of Central Avenue and Edgemont Street, such that the intersection will be controlled by a four-way stop; and

- (b) That the Traffic by-law 66-100 be amended accordingly.
- 17. (a) That northbound and southbound stop control be implemented at the intersection of Central Avenue and Cochrane Road, such that the intersection will be controlled by a four-way stop; and
 - (b) That the Traffic by-law 66-100 be amended accordingly.
- 18. (a) That northbound and southbound traffic on Cranbrook Drive be required to stop at Greendale Drive, such that the intersection will be controlled by a three-way stop; and
 - (b) That the Traffic by-law 66-100 be amended accordingly.
- 19. (a) That three-way stop control be implemented at Jasmine Street and Deerborn Drive; and
 - (b) That the Traffic By-law 66-100 be amended accordingly.
- 20. (a) That the existing parking prohibition on the north side of King Street West, commencing at a point 148' west of Paisley Avenue and extending to a point 31' westerly therefrom be removed and replaced with a parking meter; and
 - (b) That the Traffic By-law 66-100 be amended accordingly.
- 21. (a) That parking be prohibited on the west side of East 26th Street between Concession Street and a point 120 feet southerly therefrom; and
 - (b) That the City Traffic by-law 66-100 be amended accordingly.
- 22. (a) That a "30 Minute Parking Time Limit, 9:00 a.m. to 10:00 p.m." regulation to be in effect seven days a week be implemented on the north side of Melvin Avenue between Tolton Avenue and a point 46 feet easterly therefrom; and
 - (b) That the City Traffic by-law 66-100 be amended accordingly.
- 23. (a) That a parking prohibition be implemented on the north side of Olmstead Street between Macklin Street and a point 48 feet therefrom; and
 - (b) That the City Traffic by-law 66-100 be amended accordingly.
- 24. (a) That the existing "Alternate Side Parking" regulation be replaced with a full-time parking prohibition on the south side of Afton Avenue between Lorne Avenue and Norway Avenue; and
 - (b) That the City Traffic by-law 66-100 be amended accordingly.

25. (a) That parking be prohibited on the south side of St. Joseph's Drive across the frontage of the apartment building at No. 130 St. Joseph's Drive; and
(b) That the City Traffic by-law 66-100 be amended accordingly.
26. (a) That the existing "Alternate Side Parking" regulation on Adeline Avenue between Main Street East and Dunsmure Road be replaced by a full-time parking prohibition on the west side of the street; and
(b) That the City Traffic by-law 66-100 be amended accordingly.
27. (a) That a full-time parking prohibition be implemented on the east side of Harmony Avenue between Vansitmart Avenue and Merchison Avenue, in place of the existing "Alternate Side parking"; and
(b) That the City Traffic by-law 66-100 be amended accordingly.
28. (a) That the City Traffic By-law be amended to no longer prohibit stopping within 100 feet of either end of a bridge unless signs are erected; and
(b) A parking prohibition be implemented on the east side of Locke Street South commencing at a point 25 feet south of Canada Street to a point 22 feet southerly therefrom.
29. (a) That "Reserved Permit Parking" be implemented on the west side of Margaret Street between King Street and Main Street; and
(b) That "Reserved Permit Parking" be implemented on the east side of Margaret Street between King Street and Main Street where parking spaces of sufficient size are available; and
(c) That "No Stopping Anytime" zones be implemented on the east side of Margaret Street where parking spaces of sufficient size are not available; and
(d) That the City Traffic by-law 66-100 be amended accordingly.
30. (a) That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Beach Road, commencing at Depew Street and extending to a point 46 feet westerly therefrom; and
(b) That the City Traffic by-law 66-100 be amended accordingly.
31. (a) That a stopping prohibition be implemented on the north side of Hester Street, commencing at a point 186 ft. west of Ronaldshay Avenue and extending to a point 183 feet westerly therefrom; and
(b) That the City Traffic by-law 66-100 be amended accordingly.

32. (a) That the parking prohibition on the north side of Britannia Avenue between Kenilworth Avenue North and the traffic island immediately east of Cameron Avenue North be rescinded; and
- (b) That a "Reserved Permit Parking" regulation be implemented on the south side of Britannia Avenue in the block between Garside and Cameron Avenues; and
- (c) That the Director of Traffic Services be authorized to issue one parking permit to each of the first seven applicants residing on the south side of Britannia Avenue between Garside and Cameron Avenues, and any additional permits (to a maximum of seven) on a first come first served basis.
- (d) That the City Traffic by-law 66-100 be amended accordingly.
33. (a) That the existing parking prohibition on the south side of Landsdowne Avenue which commences at a point 132 feet east of Sherman Avenue North and extends to Lottridge Street be shortened, such that the prohibition commences at a point 132 feet east of Sherman Avenue North and extends to a point 252 feet easterly therefrom; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
34. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of East 23rd Street between Concession and Crockett Streets; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
35. (a) That an "Alternate Side parking" regulation be implemented on East 11th Street between Brucedale and Queensdale Avenues, such that the winter parking prohibition is on the east side of the street; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
36. (a) That the Ottawa Street Business Improvement Association be authorized to bag the parking meters on the east side of Ottawa Street between Main Street and Cannon Street between the hours of 9:00 a.m. and 9:00 p.m. on 1986 July 3, 4, 5 and 12; and
- (b) That motorists be permitted to park free of charge at the meters during the same hours; and
- (c) That the Business Improvement Association pay to the City the sum of \$232.80 to account for the income loss to the City.

37. That the application by James Dillane to lease a portion of the boulevard of Bold Street adjacent to No. 12 Bold Street, be approved, provided that:

- (a) the applicant pays the annual fee in accordance with the fee structure approved by City Council on 1986 March 25 (current rate is \$125 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14
- (b) the owner pays a one time \$25 registration fee, as approved by City Council on 1986 January 14.
- (c) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
- (d) the approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
- (e) the owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, expenses and loss.

38. That the application by Dofasco to lease a portion of the boulevards of Holly Avenue, Beach Road, Benson Avenue and Grenfell Street, be approved, provided that:

- (a) the applicant pays the annual fee in accordance with the fee structure approved by City Council on 1986 March 25 (current rate is \$1325 per year for 51 parking spaces), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14
- (b) the owner pays a one time \$25 registration fee, as approved by City Council on 1986 January 14.
- (c) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
- (d) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
- (e) the owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, expenses and loss.

39. (a) That the annual fee associated with the existing boulevard parking agreement with the Steel Company of Canada Limited which permits parking on the boulevard of Chatham Street adjacent to No. 155 Chatham Street be reduced from the present \$1 032 to \$935, in accordance with the new fee structure approved by City Council on 1986 March 25; and
- (b) That the City Treasurer be directed to revise the billing records accordingly.
40. (a) That the annual fee associated with the existing boulevard parking agreement with AMCAN Industries Corporation which permits parking on the boulevards of Hillyard Street and Brant Street adjacent to No. 10 Hillyard Street be reduced from the present \$1 378.80 to \$810.00, in accordance with the new fee structure approved by City Council on 1986 March 25; and
- (b) That the City Treasurer be directed to revise the billing records accordingly.
41. (a) That the existing "Commercial Vehicle Loading Zone" regulation on the north side of Vine Street, commencing at a point 54 feet east of MacNab Street North and extending to a point 35 feet easterly therefrom be replaced with a "No Parking" regulation; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
42. (a) That the existing parking prohibition on the south side of Rennie Street, commencing at a point 494 feet east of Parkdale Avenue North and extending to a point 320 feet easterly therefrom be extended, such that the regulation commence at a point 362 feet east of Parkdale Avenue North and extends to a point 452 feet easterly therefrom; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
43. (a) i. That the Berrisfield Neighbourhood be designated as a neighbourhood watch area; and
- ii. That Neighbourhood Watch Signs for the Berrisfield Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- iii. That the necessary funds be charged to Account No. 0345-0560 (Neighbourhood Watch Program).
- (b) i. That the Westcliffe East Neighbourhood be designated as a neighbourhood watch area; and

- ii. That Neighbourhood Watch Signs for the Westcliffe East Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
 - iii. That the necessary funds be charged to Account No. 0345-0560 (Neighbourhood Watch Program).
44. That the following bus stop additions and deletions be approved:
- (a) Upper James (Garth Loop) and Limeridge - Heritage Routes
 - ADD - Limeridge Road West at No. 345 Limeridge Road West (MB)
 - DELETE - Limeridge Road West opposite Kendale Court
 - Limeridge Road West opposite Elgar Avenue
 - (b) That the City Traffic by-law 66-100 be amended accordingly.
45. (a) That one of the two parking permits presently issued to Miss J. Olmstead, 16 Webber Street, be cancelled; and
- (b) That Mr. K. Bosoko, 12 Webber Street, be permitted to retain the temporary parking permit issued to him by the Traffic Department on 1986 May 27.
46. That the \$2 per month charge for time limit exemption permits for local residents be confirmed.
47. That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer not be assigned to the intersection of Garrow Drive and Cranbrook Drive, at this time.
48. (a) That parking be prohibited on the east side of David Avenue between South Bend Road and a point 90 feet southerly therefrom; and
- (b) That the City Traffic by-law 66-100 be amended accordingly.
49. (a) That the present owners of any properties on:
- i. King William Street from John Street to Catharine Street; and
 - ii. Hughson Street from King Street to Main Street; and
 - iii. Ferguson Avenue from Main Street to King Street
- having areaways within these limits, be directed to fill in the areaway, at their own expense, to the satisfaction of the Commissioner of Engineering, by no later than 1986 July 21.

- (b) That in the event the present owners fail to fill in their areaway, to the satisfaction of the Commissioner of Engineering before 1986 July 21, the Commissioner of Engineering be authorized and directed to fill in the areaway at the expense of the present owner, in accordance with Section 9 of Streets By-law No. 9329.
50. (a) That the City Subdivision Agreement be amended to delete the requirement to construct sidewalks on Benemar Court and the north side of Mark Place under the plan of subdivision for Aspen Estates - Phase 2.
- (b) The Developer is to prepare and register an amending agreement, to the satisfaction of the City Solicitor's Office and at the Developer's expense.
- (c) The Mayor and City Clerk be authorized and directed to execute all necessary documents required to amend the City subdivision agreement for Aspen Estates - Phase 2.
- (d) The Developer's solicitor is to verify title to all lots affected by the deletion of sidewalks and confirm that all land owners have been notified and are in agreement with the change, all in conjunction with the registration of the amending agreement.
51. (a) That item 38 of the Transport and Environment Committee, Report 13-84 as adopted by City Council on 1984 July 31, be revised to show a City's share of \$25 064 for services within the "Templemead No. 2 Survey - Phase 2" subdivision, (increase of \$21 133); and
- (b) That the revised engineering schedules for the estimated cost of services in "Templemead No. 2 Survey - Phase 2" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (c) That the additional city's share for the cost of services for this development (\$21 133) be charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12; and

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Final Roads	<u>\$21 133</u>
TOTAL	\$21 133

- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and

- (e) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing; and
 - (f) That the City Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning by-Law and Council policy.
52. That the payment for street trees in subdivisions be increased from one dollar per metre to four dollars per metre. The new rate to be applied to all subdivisions to be approved by Council after the adoption of the new rate.

NOTE: Subdividers are required to pay the City who then plants a reasonable number of trees on new streets in new residential areas. The general concept is one tree per lot.

53. (a) That "Opera Hamilton" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 September 8 to 1986 September 15, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content:

"Opera, A Masked Ball, Sept. 18/20, 1986"

- (b) That "Hamilton Place" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 June 23 1 to 1986 July 6, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content:

"New Faces Festival of '86 - Gypsy, You're A Good Man Charlie Brown, South Pacific - Hamilton Place July 3 - August 9"

- (c) That "The Lung Association of Hamilton-Wentworth" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 December 1 to 1986 December 15, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content: "Lung for Life!
Please Give to Christmas Seals"

- (d) That "Hamilton-Wentworth Creative Arts" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 July 21 to 1986 August 11, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content:

"Festival of Friends, Gage Park, August 8 - 10
Free! Free! Free!
Ford Motor Company logo and Festival of Friends logo

- (e) That the "Italo-Canadian Recreation Club" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 July 21 to 1986 July 28, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

Banner Message Content:

"Italo-Canadian Recreation Club Presents
Summer Festival
Friday, July 25, 1986 Saturday, July 26, 1986

54. (a) That the recommendation of MEGNA REAL ESTATE on behalf of the owner(s) of 6 Tisdale Street South, Dino Nicosia, Albert Ferro and 511437 Ontario Limited, to retain the following inadvertent encroachment consisting of a three storey brick apartment building 0.15m (0.52') by 20.72m (68.0'), be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (b) That the application of Mark L. Castle, Solicitor, on behalf of the owner(s) of 44 Gertrude Street, John and Linda Lowe, to retain the following inadvertent encroachments on Albermarle Street consisting of an existing brick garage 1.70m by 3.50m, and an existing portable metal shed 1.37m by 1.82m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

- (c) That the application of Michael M. Mihailovich, Solicitor, on behalf of the owner(s) of 115 Avondale Avenue, Ionel and Tanya Zodila, to retain the following inadvertent encroachment consisting of a concrete stoop and steps, 1.16m by 3.66m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (d) That the application of W. J. I. Malcolm, Solicitor, on behalf of the owner(s) of 173 Simcoe Street East, Ronald Edwin Mariash and Suzanne Dale Hewlett, to retain the following inadvertent encroachment consisting of a frame verandah, 1.23m by 2.48m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (e) That the application of J. Jeffrey Steadman, Solicitor, on behalf of the owner(s) of 530 Aberdeen Avenue, Lawrence John Speakman, to retain the following inadvertent encroachment on MacDonald Avenue, consisting of a three storey building, 0.064m by 6.4m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (f) That the application of Ronald Castellani, Solicitor, on behalf of the owner(s) of 262 Bold Street, Barbara Mitchell, to retain the following inadvertent encroachment consisting of front steps, 0.52m by 1.46m, be approved during the pleasure of City Council, provided:

- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (g) That the application of R. M. Paquette, Solicitor, on behalf of the owner(s) of 20 Burris Street, Roger Gay and Cory Gay, to retain the following inadvertent encroachment consisting of a porch 0.03m (0.12') by 2.43m (8.0') be approved during the pleasure of City Council, provided:
 - i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (h) That the application of Stephan S. Yanover, Solicitor, on behalf of the owner(s) of 202 Belmont Avenue, George Formandl, to retain the following inadvertent encroachment consisting of concrete steps, 0.57m by 0.99m, be approved during the pleasure of City Council, provided:
 - i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (i) That the application of David V. Ferguson, Solicitor, on behalf of the owner(s) of 175 Locke Street North, Monica Florence McPhee, to retain the following inadvertent encroachment consisting of porch and front steps, 1.22m by 3.12m, be approved during the pleasure of City Council, provided:
 - i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

- (j) That the application of Jan Van Der Woerd, Solicitor, on behalf of the owner(s) of 157 Glendale Avenue North, Eloy and Blanca Escobar, to retain the following inadvertent encroachment consisting of concrete steps, 0.09m by 1.22m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (k) That the application of William Harold Robinson, the owner(s) of 20 Hess Street South, George Formandl, to retain the following inadvertent encroachment consisting of concrete front porch and steps, 2.09m by 5.7m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (l) That the application of Wentworth Construction Planning, on behalf of the owner(s) of 124 Augusta Street, Brytor International, to retain the following inadvertent encroachment consisting of the existing building 0.018m by 5.49m, be approved during the pleasure of City Council, provided:
- i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
55. (a) That the request of the present owners of 467 Ferguson Avenue North, Hubert D. and Barbara C. Belmore to discharge the encroachment agreement for this address, Instrument No. 24176 C.D., dated 1982, August 10, be approved, subject to the satisfaction of the City Solicitor; and that the outstanding 1986 annual fee of \$20 is paid.
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.

56. That the request of the Portuguese Catholic Congregation of St. Mary's Church to temporarily close Park Street, from Mulberry Street to Colbourne Street, from 1986 Saturday, August 30 at 6:00 p.m. to Sunday, August 31 until 8:00 p.m., be approved subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.
 - (b) That clean-up will be carried out immediately before the reopening of the road at no cost to the City.
 - (c) That the organizing group provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
 - (d) That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
 - (e) No homeowner within the barricaded area will be denied access to their residence upon request.
 - (f) That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure.
 - (g) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Transportation. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
57. That the request of St. Mary's Portuguese Parish to temporarily close Sheaffe Street from Park Street to the east end, on Saturday, August 8, 1986, at 5:00 p.m. to Sunday, August 10 at 11:00 p.m., be approved subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.
 - (b) That clean-up will be carried out immediately before the reopening of the road at no cost to the City.
 - (c) That the organizing group provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.

- (d) That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
 - (e) No homeowner within the barricaded area will be denied access to their residence upon request.
 - (f) That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure.
 - (g) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Transportation. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
58. That the request of Maria Woodward and Wendy Riley, on behalf of the Rowena Court Street Party Association, to temporarily close Rowena Court, from 47 Rowena Court, to the end of the Court, to hold a "Street Party" on Saturday, June 28, 1986 from 6:30 p.m. to 11:30 p.m., be approved subject to the following conditions:
- (a) That all signing, barricading and traffic control are subject to the supervision and direction of the Regional Police Department and at the expense of the organizing group.
 - (b) That clean-up of the street will be carried out immediately following the event at the expense of the organizing group.
 - (c) That the organizing group provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
 - (d) That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
 - (e) No homeowner within the barricaded area will be denied access to their residence upon request.
 - (f) That alcoholic beverages are not to be served nor consumed on the road allowance.
 - (g) That the use of electronic devices, loudspeakers, etc., intended for the production, reproduction, or amplification of sound shall not be permitted after 11:00 p.m., pursuant to Noise By-law No. 79-292.

59. That the following local roads be temporarily closed, from 2:30 p.m. to 5:30 p.m., on Sunday, July 13, 1986, in order that Top Down Sports Promotions, may hold its Hess Village Bicycle Race in the Hess Village area of downtown Hamilton:

George Street, from Ray Street to Hess street; and

Hess Street, from Main Street to King Street; and

Ray Street, from King Street to George Street

with approval being subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department and at the expense of the organizing group; and
 - (b) That the applicant ensure that clean-up operations will be carried out immediately before the reopening of local roads, at no cost to the City; and
 - (c) That the applicant provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss; and
 - (d) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Transportation. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met; and
 - (e) That the applicant will be responsible for placing a suitably sized ad in the local newspaper advising of the event and work with the Hamilton Street Railway to provide a map showing alternative bus routes at the organization's expense; and
 - (f) That the applicant reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
60. (a) That in the event sufficiently-signed petitions in accordance with Section 11 of The Local Improvement Act are received for the paving of the alley in the block bounded by Elm Street, Balsam Avenue, Main Street and the T. H. & B. Railway and/or the alley in the block bounded by Elm Street, Balsam Avenue, Maplewood Avenue and the T.H. & B. Railway, the City agree to assume, as the City's share, 50% of the amount to be assessed against the T. H. & B. Railway or approximately \$ 4 700 based on the current rate; and

- (b) That the Railway's approval to these charges be obtained in advance.

61. (a) That the construction of a concrete alley in the block bounded by Charlton Avenue, Caroline Street, Herkimer Street and Hess Street as a local improvement on petition pursuant to Section 11 of The Local Improvement Act, be approved.

Description	Amount	Capital Budget No.	Method of Financing
-------------	--------	--------------------	---------------------

3.66m wide concrete alley in block bounded by Charlton Ave., Caroline St., Herkimer St., and Hess St.

Project #801-66H

Total Estimated Cost \$35 400.00

Owner's Share	10 214.08	8600	Executive Committee to determine
City's Share	25 185.92	3600	Executive Committee to determine

- (b) That the City Solicitor be directed to make application for approval under section 64 of The Ontario Municipal Board Act.

- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received.

62. (a) That the Commissioner of Engineering be authorized and directed to reconstruct the road, curbs and sidewalks on Roxborough Avenue from Parkdale Avenue to Reid Avenue.

- (b) That the Executive Committee recommend the amount and source of funds for this Capital Project.

63. (a) That the construction of a finished roadway on Imperial Street from Sherman Avenue to the east end as a local improvement, be adopted.

- (b) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

- (c) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of The Ontario Municipal Board Act, if no petition has been filed against the work as set forth in section 12 of The Local Improvement Act.

- (d) That the Executive Committee determine the method of financing.

64. That the application of Donald Norman Morrison, the owner of 27 Bold Street, to install and maintain the following encroachments consisting of paving stones or concrete steps 3.66m by 18.06m, a fabric canopy 0.76m by 2.5m and 2.59m above the road allowance, be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) An annual fee of \$100 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
65. (a) That the Director of Real Estate be authorized and directed to negotiate the purchase of the necessary lands to complete the extension of Bow Valley Drive to Queenston Road and complete Highridge Avenue in the Riverdale East Neighbourhood.
- (b) That the City Solicitor be authorized and directed to establish the streets by by-law once the necessary lands have been acquired.
 - (c) That the City Solicitor apply to the Minister of Municipal Affairs and Housing, prior to the passage of the said By-law for his approval of the By-law pursuant to Section 306 of The Municipal Act, where the streets to be established are less than 20m wide.
 - (d) That the City Solicitor make application to the Region for consent under Section 48(3) of The Regional Municipality of Hamilton-Wentworth Act, to have the extension of Bow Valley Drive enter onto Queenston Road, which is a Regional Road.
 - (e) That the Commissioner of Engineering be authorized to construct the roadways, curbs and sidewalks after the streets have been established by By-law.
 - (f) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project.
66. (a) That the application of William R. Horbal, proprietor of Horby's Deli, on behalf of the owner of 5 King William Street, requesting permission to establish an outdoor boulevard cafe, 3.63m by 3.63m on the boulevard of King William Street, consisting of a free standing metal handrail all around, be approved, during the pleasure of Council, provided:
- i. That the owners prepare a Licencing Agreement, satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and

- ii. That a Seasonal Licence (from May 1st to October 31st), fee of \$180 "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licence" be set for this privilege, which fee shall be due and payable to the Corporation, 30 days from the date of this resolution, satisfactory to the City Solicitor; and
 - iii. That the owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all other times; and
 - iv. That the owners provide proof of \$1 000 000 public liability insurance, naming the City of Hamilton as an added insured party, with a provision for cross-liability, and deliver the policy, or a certified copy or certificate thereof to the City Solicitor, and maintain the policy during the currency of the agreement, and deliver annually a renewal certificate of the policy to the City Clerk.
 - v. That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by City Council on 1984 August 28, and as amended on 1985 July 30.
 - vi. That the Downtown Action Plan Co-ordinating Committee be notified of the Committee's decision regarding this application.
- (b) That the application of Mario Joseph Cairo Jr. proprietor of Mario's Restaurant, on behalf of the owner of 20 Hess Street South, William Harold Robinson, requesting permission to establish an outdoor boulevard cafe, 3.18m by 4.39m on the boulevard of Hess Street South, consisting of interlocking paving stones and rod iron boundary railing, be approved, during the pleasure of Council, provided:
- i. That the owners prepare a Licencing Agreement, satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and
 - ii. That a Seasonal Licence (from May 1st to October 31st), fee of \$67.60 "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licence" be set for this privilege, which fee shall be due and payable to the Corporation, 30 days from the date of this resolution, satisfactory to the City Solicitor; and
 - iii. That the owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all other times; and

- iv. That the owners provide proof of \$1 000 000 public liability insurance, naming the City of Hamilton as an added insured party, with a provision for cross-liability, and deliver the policy, or a certified copy or certificate thereof to the City Solicitor, and maintain the policy during the currency of the agreement, and deliver annually a renewal certificate of the policy to the City Clerk.
 - v. That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by City Council on 1984 August 28, and as amended on 1985 July 30.
67. That the Chairman of the Transport and Environment Committee, or his designate, be authorized to attend "Water Pollution Control Federation '86" - 59th Annual Conference/Exposition from 1986 October 5 to 1986 October 9, in Los Angeles, California.
68. (a) That Noise Control By-law 79-292 be amended to provide for the following:
- i. A provision covering blasting and impact noise
 - ii. Modification of the provision allowing for exempted buffer zones around Industrial Zones so that noise sources located within the buffer zone which are non-industrial in nature are not exempted.
 - iii. The incorporation of loudspeaker prohibitions in Commercial Zones
 - iv. The incorporation of new Ministry of the Environment guidelines for chainsaws and heat pumps
 - v. The inclusion of cease and desist powers
 - vi. The prohibition of construction noise on Sundays and holidays
 - vii. Allowance for Quiet Zone designation of Hamilton General Hospital
- (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.
69. That the following recommendation of the Parks and Recreation Committee, relative to the Hamilton Harbour Rehabilitation, be endorsed:
- (a) That the Canada Centre for Inland Waters be requested to pursue the feasibility of conducting a pilot project of pure oxygen injection in the water of the west harbour commencing in 1987. Further that the City receive progress reports on the project and be advised of the final conclusions.

- (b) That the City assist where possible, in obtaining private sector support for the pilot project.

NOTE: The Pollution Control Subcommittee in response to a recommendation by the Parks and Recreation Committee, will be examining the full question of the technology available for oxygen injection into the Bay and Cootes Paradise to assist in restoring the water and habitat to its natural state.

70. (a) That the report of the Windermere Basin Technical Advisory Committee on the dredging of the Windermere Basin and the disposal of the contaminated sediment, appended hereto, be endorsed, and
- (b) That the Windermere Basin Technical Advisory Committee be requested to remain active, and
- (c) That a representative with the appropriate planning expertise be added to the membership of the Windermere Basin Technical Advisory Committee, and
- (d) That the Windermere Basin Technical Advisory Committee prepare revised terms of reference for the Technical Committee.
71. That two advertisements be published in the local newspaper, one in the spring and one in mid-summer explaining the existence and application of the Noise Control By-law.

NOTE: A copy of the proposed ad is appended hereto.

72. That leave be granted to introduce the following bills:

- (a) Bill B-39 - By-law to Authorize:

The construction of local improvements on a concrete alley first East of Locke Street, running from Charlton Avenue to Alexander Street as described in Schedule "A", appended hereto,

The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act,

The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering

- (b) Bill B-40 - By-law to Authorize:

The construction of local improvements on a concrete alley in the block bounded by Britannia and Paling Avenues, as described in Schedule "A", appended hereto,

The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act,

The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering

(c) Bill B-41 - By-law to Authorize:

The construction of local improvements on a concrete alley (1) first south of Bristol Street (2) in the block bounded by Cedar Avenue, etc., (3) first north of Primrose Avenue, as described in Schedule "A", appended hereto.

The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act,

The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering

- (d) Bill B-42 - By-law to Incorporate Parts 1, 2, 3 and 4, Plan 62R-3175, Part 1, Plan 62R-8131 and Part 1, Plan 62R-7840 into the road allowance of Limeridge Road East
- (e) Bill B-43 - By-law to incorporate Block 38, Plan 62M-425 into the road allowance of Sirente Drive.
- (f) Bill B-44 - By-law to Amend By-law 66-100 to Regulate Traffic.
- (g) Bill B-45 - By-law to Amend By-law 66-100 to Regulate Traffic.
- (h) Bill B-45 - By-law to Amend By-law 66-100 to Regulate Traffic.

Respectfully submitted

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary
attchms.

referred to in item
70(a) of the Twelfth
Report of the
Transport and
Environment Committee

THE DREDGING OF THE WINDERMERE BASIN
AND THE DISPOSAL OF CONTAMINATED SEDIMENT

May 20, 1986

Prepared by:

WINDERMERE BASIN TECHNICAL ADVISORY COMMITTEE

May 23, 1986

TO: Regional Municipality of Hamilton-Wentworth
City of Hamilton
Hamilton Harbour Commissioners
Ontario Ministry of the Environment
Environment Canada
Hamilton Region Conservation Authority

RE: The Dredging of the Windermere Basin and the
Disposal of Contaminated Sediments

Dear Sirs:

I am pleased to submit herewith the conclusions reached by the Windermere Basin Technical Advisory Committee on the above noted project. Copies of the two relevant technical reports are also enclosed. This report provides an outline of the problem, and a preferred solution. A list of items yet to be addressed is also included. Most of these items will be dealt with during the final design stage of the project.

During the course of the work, valuable assistance and guidance was provided by your representative on the committee which was much appreciated and is hereby acknowledged.

Should you wish to discuss the report in greater detail, please do not hesitate to call on your representative.

Yours truly,

B.W. Vanderbrug,
Chairman,
Windermere Basin Technical Advisory Committee

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BACKGROUND

On June 2, 1983, the Hamilton Region Conservation Authority adopted the following resolution:

THAT a joint committee be struck composed of the Hamilton Harbour Commissioners, the Ministry of the Environment, the Regional Municipality of Hamilton-Wentworth, the City of Hamilton and the Hamilton Region Conservation Authority, and further

THAT the committee be a staff committee, and further

THAT the committee be charged with examining the entire question of the Redhill Creek and Windermere Basin area in order to determine firm recommendations which will lead to the solution of the Windermere Basin problem.

The above recommendation was accepted by the affected public agencies and the first meeting of the newly formed committee was held on March 2, 1984. The committee consists of the following representatives

K. Brenner	Regional Municipality of Hamilton-Wentworth
S. Spencer	Regional Municipality of Hamilton-Wentworth
V. Forde	City of Hamilton
B. Hennessy	Hamilton Harbour Commissioners
S. Irwin	Ministry of the Environment
J. Mayes	Ministry of the Environment
R. Stewart	Ministry of the Environment
I. Orchard	Environment Canada
B. Vanderbrug	Hamilton Region Conservation Authority (appointed as Chairman)

The committee met on 12 occasions and commissioned two technical studies. This report summarizes the conclusions reached by the committee and also provides background information on the basin. Copies of the two technical reports and an earlier study can be obtained from the Hamilton office of the Ontario Ministry of the Environment (Windermere Basin Study prepared by the Ontario Ministry of the Environment dated December, 1982; Windermere Basin Sediment Study prepared by Envirosearch Ltd., dated April, 1985; Evaluation of the Leachability of Dredged Windermere Basin Sediment prepared by the Waste Water Technology Centre (Environment Canada) dated May, 1986). Another report considered during the evaluation process was a feasibility study for improvements to the Windermere Basin undertaken for the Hamilton Harbour Commissioners by Mar-Land Engineering Ltd.

THE PROBLEM

The Windermere Basin is a relatively small 40 hectare (+ 100 acre) basin situated at the south east corner of Hamilton Harbour (see attached Appendix 1). The drainage area surrounding the basin is urbanized and industrialized. The basin receives surface runoff from Redhill Creek and the treated effluent from the Hamilton sewage treatment plant. Over time, pollutants were discharged to the basin which settled to its bottom, causing a build up of contaminated sediments. The contaminated sediments range from a few centimeters to 5 meters in thickness, but in most places occupy primarily the upper 70 centimeters. Concentration of the contaminants is the highest in the upper layers.

The major environmental concern associated with the presence of the contaminated sediments is the possibility of the sediments being scoured from the basin and carried to Hamilton Harbour or Lake Ontario. The probability of scouring during a major storm event is quite high.

There is also a serious concern about the aesthetics of the basin. Due to fluctuation in the water level of Lake Ontario and Hamilton Harbour, large deposits of sediment are regularly exposed. These exposed sediments and entrained debris detract from the aesthetics of the area. The basin is the first impression of Hamilton to the millions of Q.E.W. travellers. There is therefore an increasing interest in cleaning up the basin for aesthetic reasons.

SUGGESTED SOLUTIONS

Available studies suggest a number of alternatives for the removal of the contaminated sediment and its disposal. They include the following:

- . Do nothing
- . Complete dredging
- . Partial dredging
- . Raise water level with dam
- . Create marsh on mud flats
- . Create tertiary treatment marsh
- . Channelize and fill

The environmental risks, aesthetic considerations, costs, legal questions and social political issues were considered by committee members for each alternative. In addition, various alternatives for sediment disposal were considered.

1. On site disposal within a containment area within a portion of the Windermere Basin. (Estimated 1986 cost for dredging and disposal - \$4,400,000 to \$7,700,000)
2. Dewatering of sediments and the transporting of the dewatered material to a landfill site. (Estimated 1986 cost for dredging and disposal - \$29,700,000 to \$38,500,000)
3. Dewatering and incineration of the sediments at the Woodward Avenue sewage treatment plant. (Estimated 1986 cost for dredging and disposal - \$20,900,000)

PREFERRED SOLUTION

After much study and debate, the committee reached consensus that a partial dredging and fill solution would be the preferred solution from an environmental and financial point of view. The question which remained to be studied and resolved was whether or not the dredged sediments should be chemically stabilized to reduce the danger of contaminants leaching back into the basin.

Although the chemical stabilization (fixation) of dredgeate is not a proven science, enough research data is available to conclude that fixation will make it more difficult for toxic substances to escape into the environment. There are, however, a number of problems with the fixation technique, not the least one being its cost. (Estimated cost of dredging and regular disposal - \$4,400,000; dredging and disposal with stabilization of dredgeate - \$7,700,000). In addition, there is the problem of increased volume. The fixation process involves the addition of considerable quantities of fly ash lime (or other suitable additives) to the dredgeate which would more than double its final volume. This added volume would obviously aggravate the disposal problem.

The Envirosearch study results indicated that stabilization may be required while subsequent analyses suggested that the contaminants would not leach out of the disposal site. Further investigations revealed that the Envirosearch conclusions were based on incorrectly reported data made available to them. Nonetheless, the committee felt that more research was needed and the Waste Water Technology Centre of Environment Canada was contacted to undertake this work. The main purpose of the study was to simulate the placement of contaminated dredged sediments behind berms and to determine if natural environmental processes would cause the contaminants to leach into the basin. Affirmative results would dictate fixation while low levels of pollutants in the leachate would allow a more traditional disposal approach.

The study was completed in early May, 1986 and test results indicated that leachates from the disposal area would be relatively low in contaminants. With this information, the committee was able to conclude that fixation would not be necessary.

In view of the above, the following is recommended:

1. That the basin be partially dredged
2. That the sediments be disposed of on site behind containment berms
3. That the sediments be disposed of without chemical stabilization.

OTHER CONSIDERATIONS

The main mandate of the committee was to reach consensus on the most appropriate method of sediment removal and the safe disposition of the contaminated sediment. That mandate has been met. Nonetheless, the committee did discuss related issues which are to be considered before implementation can take place. The following lists the various issues and summarizes opinions and conclusions reached by the committee.

How much sediment should be removed?

To make the project effective, it is important that seriously contaminated sediments be removed from contact with open water. Generally, this will involve the top 70 centimeters, although the actual depth will vary from location to location. Taking the above criterion in mind, it is estimated that a minimum of 280,000 cubic meters of sediment is to be removed from open water contact. There will be no requirement to remove contaminated sediment from the designated disposal areas.

Which area of the basin should be set aside as a sediment disposal area?

Several locations with different configurations are feasible. A final selection will, to a large extent, depend on design considerations, the ultimate use to be made of the containment area, and the ownership of the basin. An ownership map is attached to this report as Appendix 2.

How much water volume and water surface area should be maintained?

It is important to maintain as large a water volume and water surface area as possible. Volume is required to make the basin functional as a sediment settling area. A substantial water surface area is important as it increases the basin's capacity to absorb oxygen from the atmosphere. Considering the quantity of fill to be disposed of it should be possible to maintain at least 50% of the basin's surface area.

What precautionary measures should be taken during the sediment removal process?

Measures must be taken during the dredging process to minimize the transportation of contaminated sediment from the basin to the harbour and possibly Lake Ontario. The area to be dredged must therefore be isolated during the dredging operation. There are a range of possibilities, e.g.

- . A system of weirs
- . Bubble curtains
- . Silt curtains
- . Bypass channels.

The final design is to determine the best system to use.

What should be the ultimate land use of the dredgeate disposal area once the dredging is completed?

This question is considered to be beyond the mandate of the committee and was therefore not dealt with. Decisions on land use matters must be made through normal Regional and City planning procedures.

How can the project be of benefit to improve the aesthetics of the basin?

The dredging of the basin offers an excellent opportunity to improve the aesthetics of the area. The degree of this improvement will, to a large extent, depend on the location and configuration of the disposal areas as well as their ultimate use. Although members expressed certain points of view on this question, it was considered to be beyond the committee's mandate to make recommendations and/or suggestions.

Which agency should be the project proponent?

The Hamilton Harbour Commissioners have offered to be the project proponent. Both Regional and City Councils have accepted this offer. It is the opinion of the committee that the Hamilton Harbour Commissioners would be a suitable proponent, subject to all requirements respecting environmental and land use issues being met wherever they apply.

Will it be necessary to undertake an environmental assessment before the project is started?

Since the Hamilton Harbour Commissioners will be the likely project proponents, it is expected that a Federal environmental project appraisal will be required. The work done by the Windermere Basin Technical Committee and the technical reports produced will greatly assist in streamlining the process.

What preventative measures should be undertaken to prevent a similar situation from recurring?

It is essential that a long term commitment on maintenance and preventative measures be made. Preventative measures would include the following:

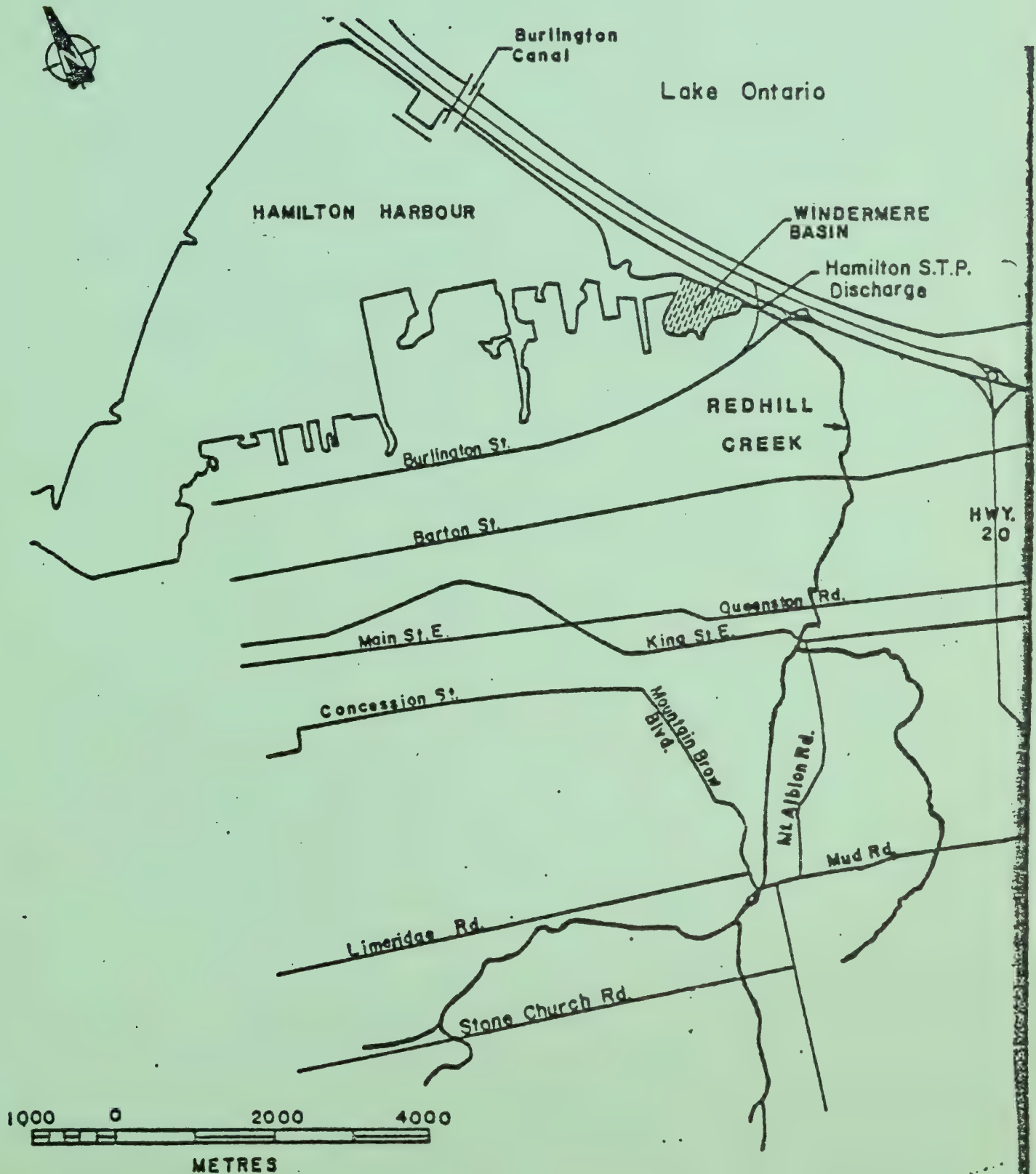
- . An urban stormwater management program for Redhill Creek (Cities of Hamilton and Stoney Creek, Township of Glanbrook)
- . The control of combined sewer overflows)
- . Upstream erosion control measures (Conservation Authority, Region, City, landowners)
- . The setting of high water quality standards for all effluent discharging into the basin (MOE)

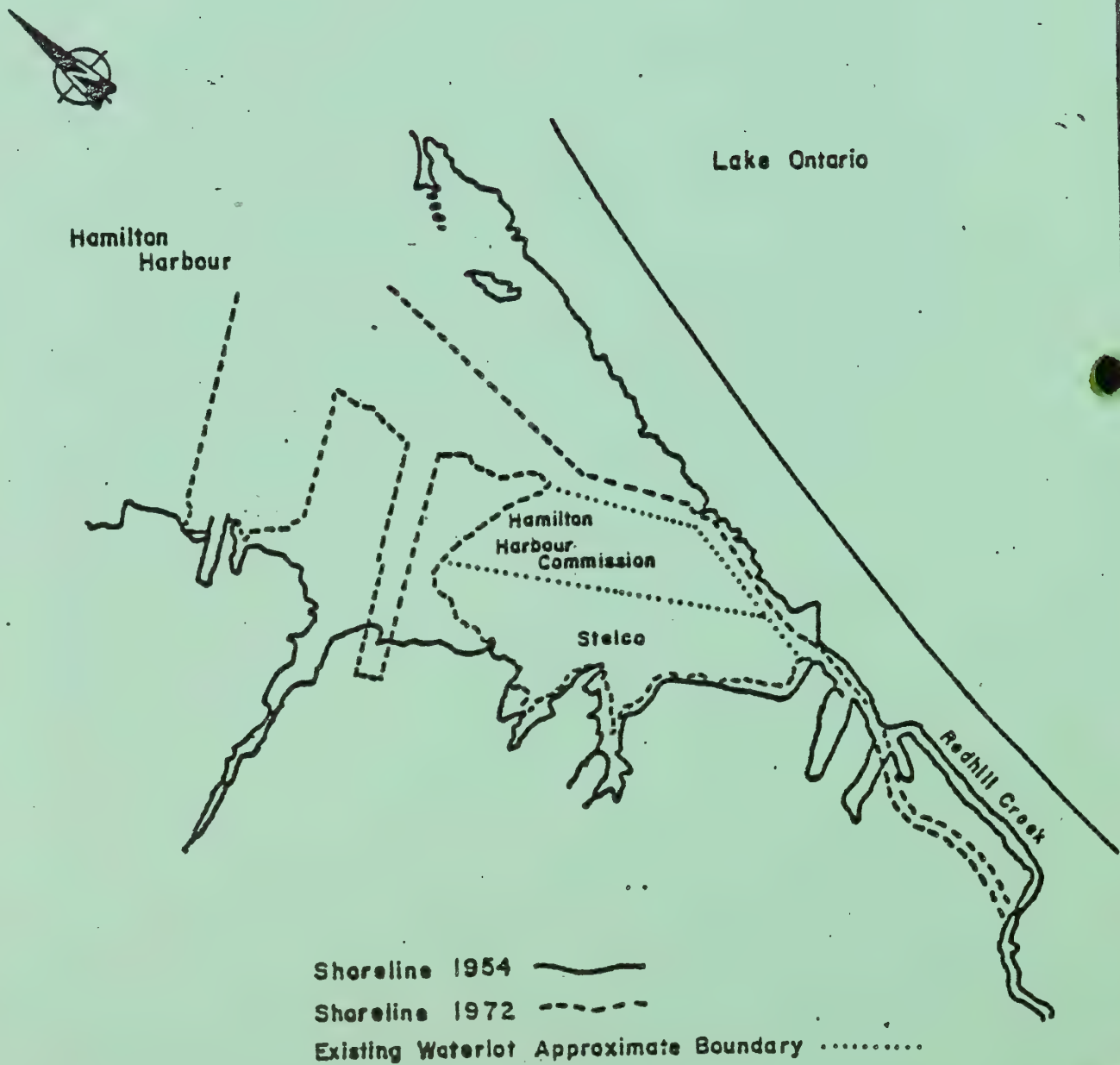
In spite of these long range preventative measures, it is expected that some sediments will continue to settle in the basin. The final design of the basin should be such to allow for the trapping of the sediments in special settling areas. These settling areas will require periodic dredging.

CONCLUSION

There is agreement that the rehabilitation of the Windermere Basin is one of the highest environmental and aesthetics issues in the Region. After much research and debate, there now appears to be a viable solution. It is the hope of all committee members that outstanding issues will soon be resolved so that the clean up of the basin will soon be a reality.

Committee members are prepared to continue as a committee during the implementation phase of the project, if so requested by the project proponent.





referred to in item
71 of the Twelfth
Report of the
Transport and
Environment Committee

A QUIET HAMILTON

City of Hamilton Noise
Control By-law 79-292

- * In general, noise exceeding the background level in a residential zone is against the law at any time of the day.
- * Violation may result in a fine of up to \$2000
- * Further questions or complaints should be directed to the Noise Control Office, please call:

526-4665

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SIXTEENTH Report for 1986 and respectfully recommends:

1. That Philip Enterprises be retained by the City to implement on the former Lax Property the Industrial Waste Management Plan prepared by Booth Aquatic Research Group Inc., 1986 June, at an estimated maximum cost of \$215,300.

NOTE: Sufficient Funds are available in Capital Account #0408-G4629-1.

2. That approval be given to lease the lands at 9 Patrick Street to Mr. Charles Farrauto for an annual rental of \$10. plus annual taxes estimated to be \$450. This is for landscaping purposes only, effective the first of the month following Council approval.

NOTE: The subject property has a frontage along the southerly limit of Patrick Street of 44 feet (13.4m) by a depth of 100 feet (30.48m).

3. (a) That the leasing of 215 Belmont Avenue to Sharon McDonagh at a monthly rental of \$400. (including realty taxes of \$1,044.) commencing 1986 June 1 be approved
- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
4. That an Offer to Purchase the lands of The Corporation of the City of Hamilton at the rear of 977 Upper Paradise Road, duly executed on 1986 May 12 by the Purchaser, 100 Main Street East Limited, and scheduled for closing 1986 August 12 be approved and completed.

NOTE: The property is composed of a vacant parcel of land at the rear of 977 Upper Paradise Road that measures approximately 100 metres (328 feet) in length by a width of about 10 metres (30 feet), subject to a survey plan prepared by the City of Hamilton. The purchase price is \$1.

It is understood and agreed that the Purchaser will place the subject lands in the proposed plan of subdivision known as Rymal Estates and the lands will be used for roadway purposes. The proposed plan of subdivision is to be registered by 1986 December 15. If in default the said lands will be reconveyed to the City of Hamilton immediately following 1986 December 15 for the price of \$1.

The Purchaser agrees to sign the deed to him to give effect to the above condition.

5. That the Macassa Bay Yacht Club be granted permission to construct a 12 foot by 60 foot addition to their present Club House facility subject to the following conditions being complied with: ,
- (a) The Lessee will apply for and receive the permission in writing of the Hamilton Region Conservation Authority before the Lessee may:
 - (i) construct any building or structure;
 - (ii) place or dump any fill on the premises or the abutting water lots (whether such fill is already in the vicinity or brought into the vicinity);
 - (iii) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse on or about the leased premises.
 - (b) That before undertaking any such construction, the Lessee will obtain a building permit from the City of Hamilton and that all such erection or placing shall conform to all by-laws, if any, then in force affecting the demised premises;
 - (c) That prior to any erection or placing, in addition to the insurance required by paragraph 4 (j) of the City's lease with Macassa Bay Yacht Club, the Lessee shall supply or cause its contractor to supply Public Liability and Property Damage insurance with a limit of at least FIVE HUNDRED THOUSAND DOLLARS (\$500,000.) with respect to risks arising out of such erection or placing. The Lessee, prior to such erection or placing, shall furnish to the Lessor a Certificate of such policy under seal of the Insurance Company;
 - (d) That upon or prior to termination of this Lease, the Lessee shall remove at its expense all buildings, foundations, structures, sub-structures placed or erected pursuant to subparagraphs (m) or (n) of paragraph 4 of the City's Lease or any predecessor thereof and shall restore to the satisfaction of the Lessor, the lands as nearly as possible to their former condition unless the Lessor in writing agrees to the contrary at the initial time of termination of this Lease.
 - (e) That the City Solicitor be authorized to amend the Lease in order that Macassa Bay Yacht Club fully acknowledges that City Council has approved the Hamilton Waterfront Master Plan, dated 1985 September; which plan includes the proposed total reorganization and expansion of the existing marina, (land and water area) and that they understand that the addition of further investment and additional club facilities should be considered to be of a temporary nature, pending implementation of the Master Plan.

6. (a) That an agreement be entered into with the Hamilton Entertainment and Convention Facilities Inc., Convention Centre, to operate the dining facilities at Dundurn Castle in accordance with their submitted proposal that includes:
- (i) The additional proposal to operate a fine dining and banquet facility on a yearly basis with opening hours being 11:00 a.m. to 11:00 p.m.,
 - (ii) The City providing \$40,000. to cover the initial capital cost for replacement furniture, supplies and renovations,
 - (iii) The City provide the necessary heat, light, power and the necessary repairs and maintenance deemed necessary by the Director of Culture and Recreation.
- (b) That the Executive Committee recommend the amount and source of funds to be provided for this capital project estimated to be \$40,000 for the furniture and renovations.
- (c) That the Convention Centre be requested to change their mandate to include the operation of the fine dining room at Dundurn Castle realizing that the Convention Centre will be providing a service in direct competition to other private dining facilities in the City.

NOTE: Best of three proposals received.

7. That an agreement be entered into satisfactory to the City Solicitor with King's Restaurant c/o O'Grady's Restaurant, Hamilton, for the leasing of the operation of the food and drink concessions at Gage Park in accordance with the proposal call issued by the Director of Purchasing and the vendor's proposal, as follows:

Amount to be paid in 1986 - \$1,600
Amount to be paid in 1987 - \$1,800
Amount to be paid to November 30, 1988 - \$2,000

This agreement shall terminate on 1988 November 30, with an option in favour of the City to renew the contract for three additional one (1) year terms at the rates specified in the vendor's proposal.

NOTE: Only proposal received. This proposal is for the exclusive right to operate the concession without allowing any other group to sell items that are sold through the concession such as hamburgers, hotdogs, french fries, cold drinks, coffee, tea, ice cream, orange juice, potatoe chips etc.

8. That an agreement be entered into satisfactory to the City Solicitor for the leasing of the operation of the food and drink concession at Globe Park, with Mrs. Ruth Stefan, Hamilton, in accordance with the proposal call issued by the Director of Purchasing and vendor's proposal, as follows:

Amount to be paid in 1986 - \$300.

Amount to be paid in 1987 - \$300.

Amount to be paid to November 30, 1988 - \$300.

This agreement shall terminate on 1988 November 30, with an option in favour of the City to renew the contract for three additional one (1) year terms at the rates specified in the vendor's proposal.

NOTE: Only proposal received.

9. That a purchase order be issued to Henderson Recreation Equipment Limited, Norwich, for the supply, delivery and installation of Creative Playstructures at Sir Wilfred Laurier Recreation Centre, in the amount of \$11,916.81, including all charges and taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in account 0367-0575(06).

10. (a) That in order to better control dandelions in parks an additional amount of \$40,000. be approved for additional contract weed spraying of approximately 400 acres of park land.
- (b) That the Finance Committee be requested to recommend the method of financing this additional amount of \$40,000.

NOTE: For the information of the members of City Council, the Finance Committee at its meeting held 1986 June 18, agreed to advise the Parks and Recreation Committee that funding for this project should be found from within the 1986 Parks Division Estimates.

11. That the concept plan for the proposed landscaped parking lot at Brian Timmis Stadium appended hereto as Appendix "A" be approved.

NOTE: It is understood that an amount of \$150,000 for the construction of a landscaped parking lot on the area of land directly south of the Brian Timmis Stadium will be considered during the preparation of the 1987 Parks Budget.

12. (a) That the concept plan for the Halfway House at Chedoke Golf Course appended hereto as Appendix "B", showing location, plan and perspective views be approved
- (b) That approval be given to call tenders for this project
- (c) That approval be given to submit the fee of one hundred dollars (\$100.) to the Hamilton-Wentworth Regional Health Unit for a holding tank.
13. That permission be granted to the Hamilton Ladies Slo-Pitch Association to hold a Barbeque in conjunction with their Tournament Headquarters, to be held at Rosedale Arena, 1986 July 31 to August 4 at a location satisfactory to the Arena Manager.
14. That permission be granted to Steetley Industries Limited to hold a Barbeque in conjunction with their employee's baseball game to be held at Mohawk Sports Park Baseball Diamond on Thursday, 1986 June 26 from 6:00 p.m. until dark.
15. That the application by the Hamilton Amateur Radio Club to host a World Amateur Radio Emergency Test Field Day in the open area east of Bernie Arbour Stadium from 9:00 a.m. Saturday, 1986 June 28 to 3:00 p.m., Sunday, 1986 June 29 be approved subject to the following terms and conditions as set down by the Director of Culture & Recreation as follows:
 - (a) That the applicant assume all responsibility for actual labour charges incurred as reported by the Parks Division.
 - (b) That the Parks Division approve the location, set-up and dismantling of tents and operating equipment.
 - (c) That there be no open fire in the park.
 - (d) That permission be granted to park vehicles in the Bernie Arbour Stadium parking lot over night.
16. That the action taken by the Director of Culture and Recreation in extending, till 11:45 p.m. if required, the use of the Mohawk Sports Complex (July 18-20) and Victoria Park (July 19-20) for the Annual Provincial Women's Softball Tournament be approved.

17. That continued participation in ENTERTAINMENT '87 Coupon Booklet be approved for the year 1987 and, that such participation include one complimentary Adult admission with one paid regular Adult admission to Dundurn Castle, Hamilton Military Museum or Whitehern. This coupon would be valid from 1986 September to 1987 November.

NOTE: The Entertainment Coupon Booklet is produced at no cost to the City of Hamilton and is used by non-profit and charitable organizations as a fundraiser. The booklet offers reduced fees and rates for dining, hotel accommodation, theatre and other attractions.

18. (a) That the applications from the Kilty B Hockey Team, and the Steelhawks Tier II Jr. Hockey Team, for use of the Mountain Arena for home games during the 1986-87 season be approved as follows:

Kilty B's	Tuesdays	8:00 - 11:00 p.m.
Steelhawks Tier II	Fridays	7:30 - 10:30 p.m.

- (b) That the rental rate be a minimum of \$240. or 15% of the gross ticket sales, whichever is the greater.
- (c) That consideration for practice purposes be given only when the Arena is not required for regular community use; and at the normal hourly rental rate.
- (d) That the Steelhawks be advised that we are unable to meet their request for use of the Lounge during home games, because of a prior and long-standing commitment to the "Steel City Squares" (Square Dancers).
19. That permission be granted to the Mountain Rotary Club to hold pre-game rallies for Tiger-Cat Football Games at the Brian Timmis Stadium for the 1986 Season, subject to a complete review immediately following the initial pre-game rally.

NOTE: These pre-game rallies are being sponsored by the Mountain Rotary Club at no cost to the City.

20. (a) That approval be given for the City to utilize the grounds of Holy Rosary School for park and open space purposes as authorized by the Hamilton Wentworth School Board.
- (b) That the City exempt the Hamilton-Wentworth Separate School Board from any liability resulting from an accident or injury which might occur as a result of the use of Holy Rosary School grounds.

21. (a) That the provision of a 2 lane Bocci Court including fencing and lighting at the Mountain Arena be approved at an estimated cost of \$11,500.
- (b) That the Finance Committee recommend the method of financing these Bocci Courts.

NOTE: For the information of the members of City Council, the Finance Committee at its meeting held 1986 June 18, agreed to advise the Parks and Recreation Committee that funding for this project should be found from within the 1986 Parks Division Estimates.

22. (a) That the revised layout of a parkette on Mountain Brow Boulevard between Upper Ottawa Street and Upper Gage Avenue be approved as shown in Appendix "C".
- (b) That purchase orders be issued by the Parks Division of Public Works to cover the cost for their share of the parkette's project for an amount of up to \$23 000 from Account No. 03645660.
- (c) That approvals be requested from the Niagara Escarpment Commission for the construction of the Parkette.
- (d) That the Commissioner of Engineering be authorized to undertake the necessary work to construct the Mountain Brow Boulevard Parkette.
- (e) That the report be forwarded to Regional Engineering Services Committee for final approval of the Regional share of the project.
- (f) That an encroachment agreement be prepared by the City Solicitor to the satisfaction of the Regional Solicitor and the Commissioner of Transportation, and the appropriate staff be authorized to execute an encroachment agreement with the Region of Hamilton-Wentworth for the on-going maintenance of the parkette.

NOTE: It is understood that the construction of this parkette will be jointly cost shared as follows:

a) Local Roads Budget - City	\$11,000
b) Parks Budget - City	23,000
c) Transportation Budget - Region	21,000

23. That approval be given to call tenders for washrooms to be situated in Gage Park near Maplewood and Gage Avenues.

NOTE: Costs are included in the 1986 Parks Division Budget.

24. The City Solicitor be authorized and directed to pursue and implement the ticketing of persons caught dumping in Parks Areas.

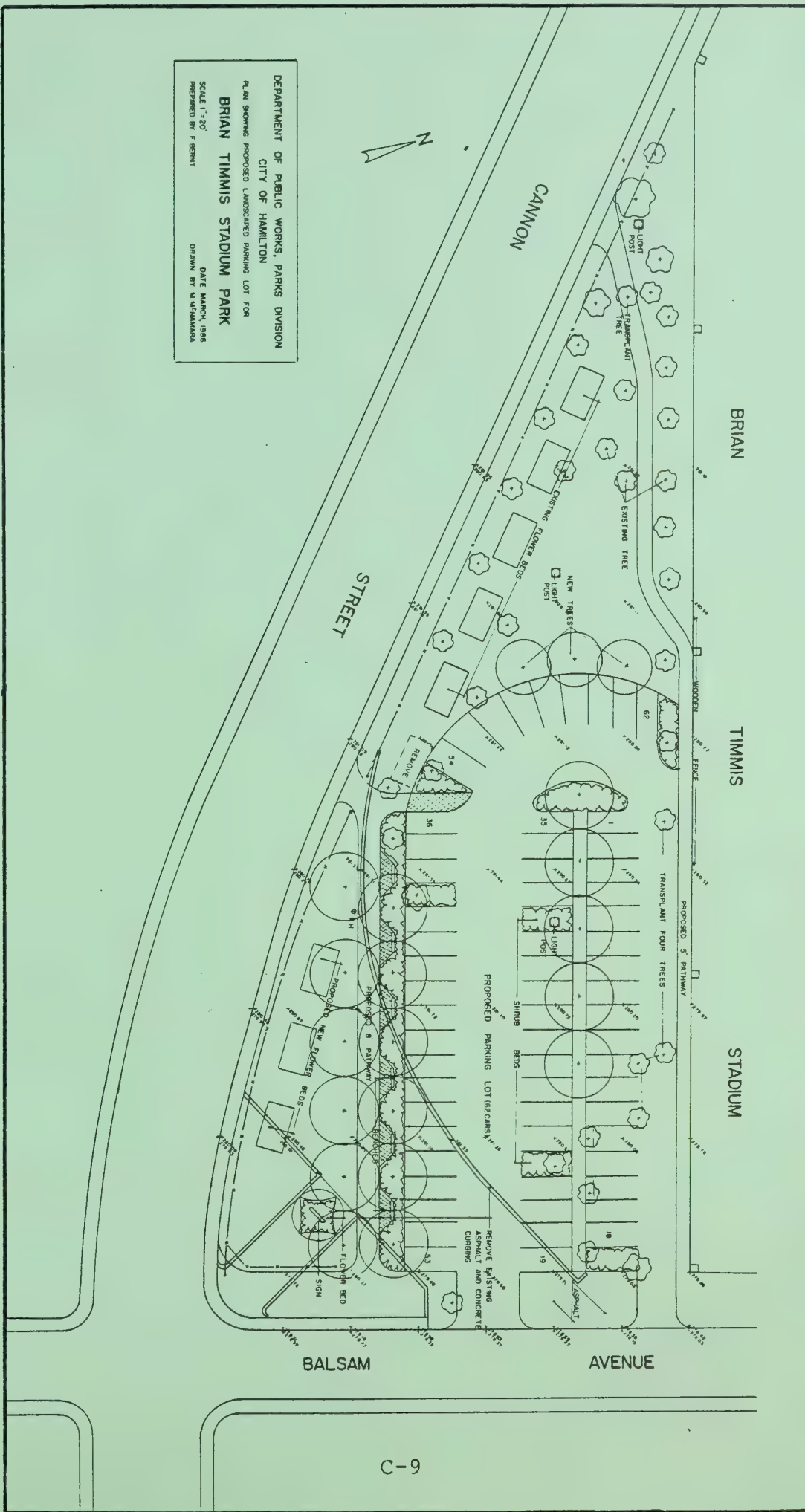
NOTE: In order to prevent dumping in park areas, it is desirable to make this a ticketable offense. The maximum fine available using the ticket procedure pursuant to the Provincial Offenses Act is \$300.00, exclusive of costs.

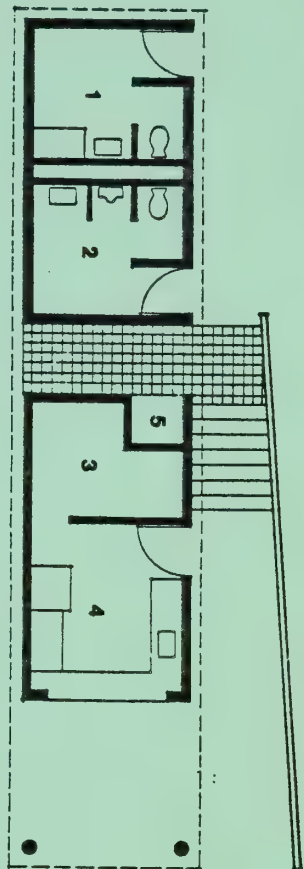
Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

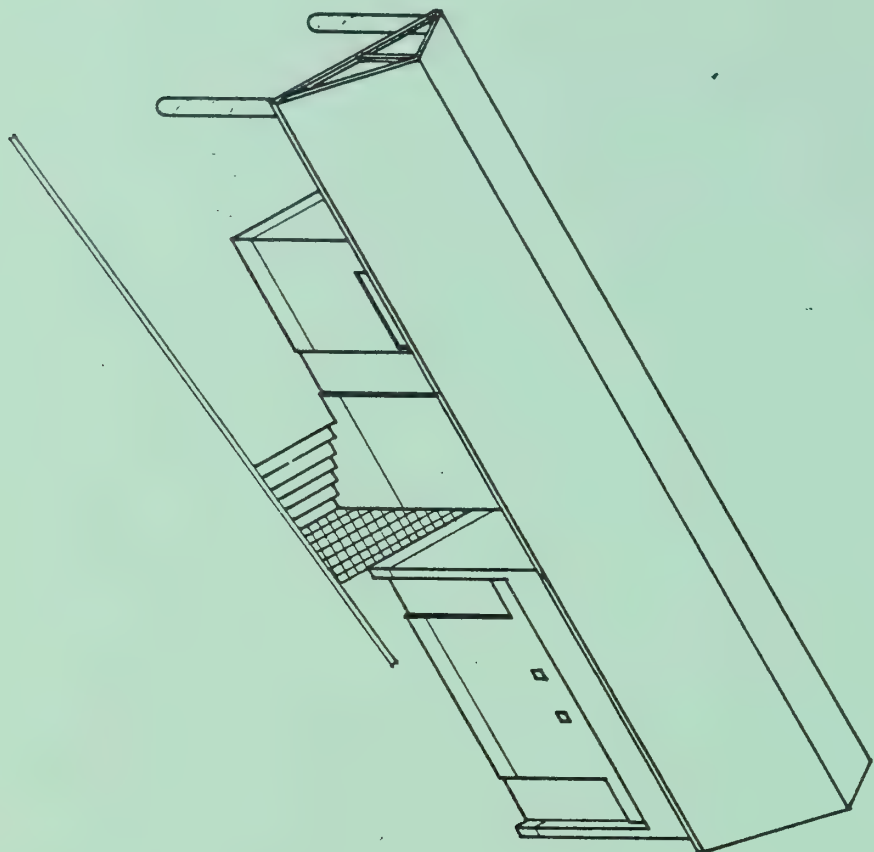
Mrs. L. Dale, Secretary
Parks and Recreation Committee
1986 June 17

DEPARTMENT OF PUBLIC WORKS, PARKS DIVISION
CITY OF HAMILTON
PLAN SHOWING PROPOSED LANDSCAPED PARKING LOT FOR
BRIAN TIMMIS STADIUM PARK
SCALE 1"=30'
PREPARED BY: F. BENNETT
DATE: MARCH, 1985
DRAWN BY: M. W. HARRIS





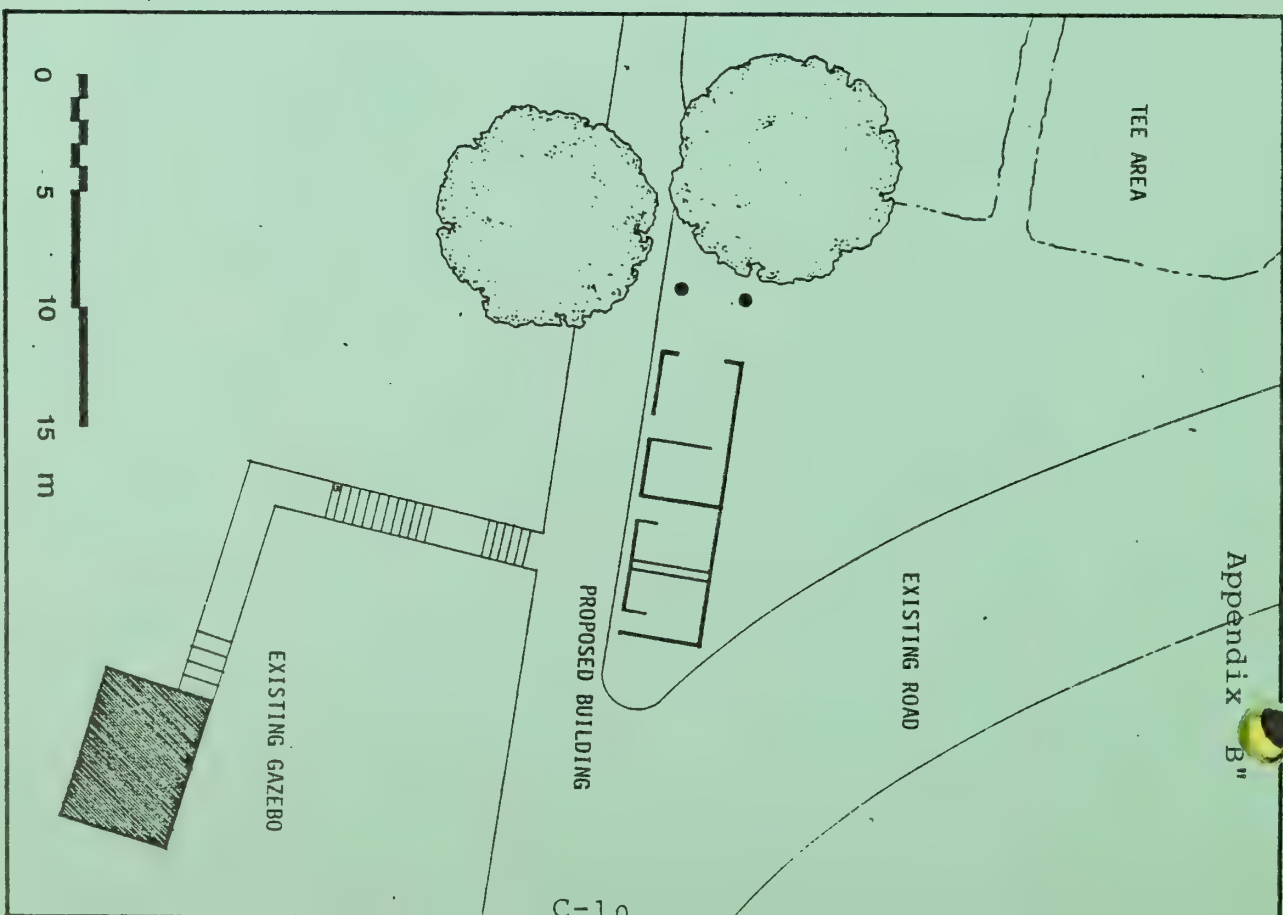
PLAN 1:100



PROPOSED HALFWAY HOUSE

CHEDOKE GOLF COURSE

SITE PLAN



- 1 - WOMEN'S WASHROOM
- 2 - MEN'S WASHROOM
- 3 - STORAGE
- 4 - KITCHEN/SERVERY
- 5 - VENDING MACHINE

[illegible]

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its TWELFTH Report for 1986 and respectfully recommends:

1. a) That approval be given to Zoning Application 86-32 by Mor Car Wash Limited, owner, for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 432 to No. 444 Main Street West, shown as Blocks "1" and "2" on the attached plan marked as APPENDIX "A", on the following basis:
 - i) That the "H" (Community Shopping and Commercial, (etc.) District regulations as contained in Section 14.(1) of By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
 1. That notwithstanding the provisions of Section 14.(1) of By-law No. 6593, a coin-operated manual car wash having not more than 9 bays or stalls shall be permitted;
 2. That Section 14.(3)(iii)(c) of By-law No. 6593 shall not apply;
 3. That vehicular access shall only be permitted from Main Street; and,
 4. That a minimum 1.5 m (4.92 ft.) wide planting strip be provided along the westerly side property line.
 - ii) That the amending By-law be added to Section 19B of Zoning By-law No 6593 as Schedule S-935, and that the subject lands on Zoning District Map W-12 be notated S-935;
 - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12;
 - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

- v) That the Strathcona Neighbourhood Plan be amended by redesignating the subject property to "Commercial:.
 - b) That By-law No. 79-275 (Site Plan Control) be amended by adding the subject lands to Schedule "A".
 - c) That the amending By-law include the repeal of By-law No. 86-147.
2. a) That approval be given to Application SA-86-08, Ontario Housing Corporation, owner, to establish a draft plan of subdivision on the west side of Sherman Avenue north of Stone Church Road, subject to the following conditions:
- i) That this approval apply to the plan prepared by J.D. Peters, O.L.S. dated 1986 January 9 revised to show 86 lots for single-family dwellings, one block for a walkway, one block for a road widening and two blocks for 0.3 m reserve.
 - ii) That the road allowances and the road widening be dedicated as public highways and the walkway be dedicated a public walkway on the final plan.
 - iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - iv) That the final plan conform with the zoning by-law approved under the Planning Act.
 - v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 - vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - viii) That the dead-end of the road allowance created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City of Hamilton until required for the future extension of the road allowance.
 - ix) That a 0.3 m reserve at the rear of lots 67 to 70 inclusive is to be conveyed to the City of Hamilton.

- x) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
 - b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-08) Ontario Housing Corporation, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
3. That approval be given to Zoning Application ZA-86-09, Ontario Land Corporation, owner, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District, "D" (Urban Protected Residential - One and Two Family dwellings, etc.) District and "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District, for property located in the area west of Upper Sherman Avenue and north of Stone Church Road East, as shown on the attached plan marked as APPENDIX "B", on the following basis:
- i) That the lands shown as Block "1" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
 - ii) That the lands shown as Blocks 2, 3 and 4 be rezoned from "D" (Urban Protected Residential - - One and Two Family Dwellings, etc.) to "C" (Urban Protected Residential, etc.) District
 - iii) That the lands shown as Block "5" be rezoned from "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District;
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27B and E-27C;
 - v) That the Rushdale Neighbourhood Plan be amended by redesignating the lands shown as Block "5" from "Attached Housing" to a "Single and Double" residential land use designation; and,
 - vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located in the area west of Upper Sherman Avenue and north of Stone Church Road East, as shown on the attached plan marked as Appendix "B" on the following basis:

Block "1" - change from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;

Blocks "2, - change from "D" (Urban Protected Residential -
3 and 4" One and Two Family Dwellings, etc.) District to
"C" (Urban Protected Residential, etc.)
District;

Block "5" - change from "RT-20" (Townhouse - Maisonette)
District to "C" (Urban Protected Residential,
etc.) District;

The effect of the By-law is to permit the subdivision of the lands for the purpose of constructing single-family detached dwellings.

4. That approval be given to Application SA-86-09, Cochren Construction Co. Ltd., owner, to establish a draft plan of subdivision on the south side of King Street East and on the west side of Greenhill Avenue, subject to the following conditions:
 - i) That this approval apply to the plan prepared by Parker Consultants dated 1985 December 23, revised to show 20 lots for single-family dwellings, and one block for road widening and a daylight triangle.
 - ii) That the road allowance the road widening and the daylight triangle be dedicated as public highway on the final plan.
 - iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - iv) That the owner dedicate sufficient lands to establish the King Street road allowance at the designated 36.58 m (120 feet) width and to establish a 12.19 metre X 12.19 metre daylight triangle from the widened limits of King Street East and Greenhill Avenue.

- v) The owner is required to make the necessary arrangements to lift the 0.3 metre reserve on Greenhill Avenue adjacent to the easterly limit of the proposed plan.
 - vi) the proposed road allowance adjacent to Lots 11 to 20 (inclusive) is to be established to its full width prior to or in conjunction with the development of these lots.
 - vii) That the final plan conform with the zoning by-law approved under The Planning Act.
 - viii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 - ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - x) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - xi) That the dead-end of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
 - xii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
 - xiii) That Block "21" be designated commercial by an amendment to the Official Plan.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-09), Cochren Construction Co. Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

5. (a) That Zoning Application 86-10, Cochren Construction Co., Ltd., owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and to "HH" (Restricted Community Shopping and Commercial, etc.) District (Block "2") be denied as submitted.
- (b) That approval be given to an amended Zoning Application 86-10, Cochren Construction Co. Ltd., owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"), and to "G" (Neighbourhood Shopping Centre, etc.) District (Block "2"), for lands located on the west side of Greenhill Avenue and south of King Street East, as shown on the attached plan marked as APPENDIX "C", on the following basis:
- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District:
 - ii) That the lands shown as Block "2" be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District;
 - iii) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to the lands shown as Block "2" be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 13(1) of By-law No. 6593 the following additional uses shall be permitted:
 - 1. A Medical Clinic
 - 2. A Dental Clinic
 - 3. an Undertaker's establishment or funeral home if there is not a crematorium
 - (b) That notwithstanding Section 12(1) of By-law No. 6593 the following uses are prohibited:
 - 1. a restaurant or refreshment room
 - 2. a laundry or dry cleaning establishment but not including a collecting and distribution station for the same
 - 3. A storage garage
 - iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-966, and that the subject lands on Zoning District Maps E-106 & E-107 be notated S-966 ;

- v) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-106 and E-107;
- vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The by-law provides for the following changes in zoning for property located on the west side of Greenhill Avenue and south of King Street East, as shown on the attached plan marked as APPENDIX "C" on the following basis:

Block "1" - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

Block "2" - Change from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District.

The effect of the By-law is to permit single-family detached dwellings in accordance with a draft plan of subdivision on Block "1", and commercial development on Block "2".

In addition, the By-law provides for variances to the "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to Block "2", to permit the following additional uses:

1. A Medical Clinic;
2. A Dental Clinic
3. An Undertaker's establishment or funeral home if there is no crematorium

The By-law prohibits the following uses in Block "2":

1. A restaurant or refreshment room,
2. a laundry or dry cleaning establishment, but not including a collecting and distribution station for the same,
3. a storage garage

6. That Zoning application 86-29, Aiden Tuite, Peter and John Zourntos and Peter Hatzoglou, prospective owners, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District modified, for lands located at the south-west corner of Rymal Road East and Ryckman Street, to permit a 2 storey building containing 1,840 m² (19,806 sq. ft.) of ground floor commercial space and 16 second storey apartment units, be denied for the following reasons:

- i) The proposal does not comply with the Official Plan which designated the property "Residential", and would require redesignation to "Commercial";
 - ii) The proposal does not comply with the intent of the Upper James South-Mountain Area Study, which designates the site "Residential". (Note: Official Plan Amendment No. 28 which implements the Upper James South-Mountain Area Study is under appeal.
 - iii) The proposal is premature pending the preparation of a Neighbourhood Plan. In this regard, the Allison Neighbourhood Plan is not on the current work programme; and,
 - iv) Approval of the application would set an undesirable precedent for future similar applications.
7. That approval be given to amend the draft approval for a proposed residential subdivision by deleting condition g) Regional File No. 25T-79022, City of Hamilton File No. SA-79-11 and that conditions h) to r) be renumbered g) to q).

EXPLANATORY NOTE:

The purpose of the proposed amendment to the draft approval is to enable the owner to use the land of Block "8" as part of future development in conjunction with adjacent lands.

8. That approval be given to application SA-85-17, Mrs. Constance Adam, owner, to establish a draft plan of condominium located at the south-westerly corner of Charlton Avenue, West and McNab Street South, subject to the following condition:
- i) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated 1977, January 17.
9. That the Building Commissioner be authorized to issue a Demolition Permit for the demolition of the residential buildings at 30 Lake Avenue North for which application has been processed through the Building Department and the Planning and Development Committee:

10. (a) That the Department of Community Development proceed with the implementation of the Commercial Facade Loan Programme based on the approved Capital Budget of \$300 000. (For the information of the Committee, the original submission requested an appropriation of \$800 000., over three years.
- (b) That the Finance Committee be requested to recommend the method of financing of \$100 000., for 1986.
- (c) That for the first year of the Programme, eligibility be limited to International Village, the Downtown Promenade, and part of the Jamesville Business Improvement Areas. (For the information of the Committee, the properties must be located in a Redevelopment Area in order for the Municipality to have the authority to implement a loan programme under the Planning Act.
- (d) That the Department of Community Development and the Legal Department be directed to designate the balance of the Business Improvement Areas (three) as Community Improvement Areas for the purpose of providing assistance under the City of Hamilton's Commercial Facade Loan Programme for implementation in 1987 or later.
- (e) That the Commercial Facade Loan Programme be implemented as per Appendix "D", (Attached)
- (f) That the City's Legal Department be directed to prepare the necessary implementation By-law for a Commercial Facade Loan Programme under Section 22 or Section 28 of the Planning Act.
11. (a) That, at the request of the Westdale Village Business Improvement Area (B.I.A.) 14 Lightolier poles and luminaires be installed on King Street West within the limits of the Business Improvement Area's (B.I.A.'s) boundaries; and,
- (b) That, the Finance Committee be requested to recommend a method of financing the installation of the poles, luminaires and electrical outlets, at a total estimated cost of five thousand dollars (\$5 000.)
12. 1. That, the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the Business Improvement Area (B.I.A.) on King Street East from Mary Street to Wellington Street, as approved by City Council 1975, January 27 (By-law No. 76-019), in accordance with Appendix "E" attached; and,

2. (a) That, in accordance with Appendix "E" the 1986 operating budget of the "International Village" Business Improvement Area (B.I.A.) be approved in the amount of sixty thousand dollars (60 000.); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law, pursuant to Section 217., The Municipal Act, R.S.O. 1980, to levy the 1986 budget as referenced above; and,

(c) That, the Schedule of Payments 1986, as listed on Schedule "E", be approved; and,
3. (a) That, at the request of the International Village Business Improvement Area (B.I.A.), attached as Appendix "F", the City Solicitor be directed to prepare an amending by-law to By-law No. 76-019 to include 16 Jarvis Street in the International Village Hamilton, Ont.; and,

(i) That, the City Solicitor also be directed to include a map (attached as Appendix "G") with the amending By-law.
13. a) That, financing be provided for the planning, design, engineering surveys and drawings, preparation of tender specifications, Ontario Municipal Board approval and public meetings, for the James Street North streetscape extension to the Downtown Hamilton Action Plan (Phase V) at an estimated cost of one hundred sixty thousand, four hundred dollars (160 400.) as indicated in Capital Budget Project number 36001 (page 30, 1986 - 1990 Capital Budget); and,

b) That, the Finance Committee recommend a method of interim financing of one hundred sixty thousand, four hundred dollars (\$160 400.); and,

c) That, proposals be called in (in accordance with the terms of reference, attached as Appendix "H") for the design, contract preparation and construction supervision of Phase V extension to the Downtown Hamilton Action Plan.
14. That Hamilton and District Home Builders Association be granted an extension of the construction commencement date to 1986 September 5, on Lot 1, in the Hamilton Mountain Industrial Park No. 3.

15. a) That an Offer to Purchase the lands of The Corporation of the City of Hamilton duly executed on May 13, 1986 by the Purchaser, 658414 Ontario Incorporated, (Anthony DiMillo, Luciano, Anna and Alfredo DiDiddadto) and scheduled for closing on 1986 September 15th, be approved and completed.
- b) That the City Solicitor be authorized to send the required 60 days notice to 535596 Ontario Limited in order to terminate the lease on this property.

NOTE: The property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 30.48 m (100 feet) by a depth of 60.96 m/60.686m (200 feet/199.10 feet) and containing an area of 1,846.21m² (.4562 acres) and more particularly, described as Parts 1 and 2, Plan 62R-6941.

The purchase price is \$52 000. A deposit cheque in the amount of \$5 200., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Group "D" Realty Ltd., whose agent, Mr. Nazir Hanhan acted in this matter.

This transaction includes special building covenants, agreements and restrictions, which terms are set out on the attached pages marked as Appendix "I".

16. That an Offer to Purchase the lands of the Corporation of the City of Hamilton duly executed on 1986 May 9, by the Purchaser, Ontario Auto Collision Limited and scheduled for closing on 1986 December 29, be approved and completed.

NOTE: The property is composed of a parcel of vacant land located on the south side of Rymal Road East, having a frontage of 46m (150.9 feet) by a depth of 91.44m (300 feet) and containing an area of 4206m² (1.0393 acres). The subject site is more particularly described as Lot 2, Plan M-352.

This transaction is conditional on the following terms:

That the subject lands being rezoned to allow the Purchaser's auto body business, failing which this agreement will become null and void and the Purchaser's deposit shall be returned without interest.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, as Appendix "J".

17. a) Approval be given to Addendum No. 6 to the York Street Urban Renewal Plan for the land bounded by Queen, Peter, Hess and Napier Streets to permit the use of the land for Commercial-Residential purposes and for parking lot purposes, as set-out in the attached Addendum No. 6 attached as Appendix "K".
- b) The City Solicitor be authorized and directed to make application to the Minister for approval of Addendum No. 6.
- c) The City Solicitor be authorized and directed to make application to the Minister for the sale, lease or other disposal of the land referred to in Addendum No. 6, for use in conformity with the redevelopment plan for the purpose of carrying out the redevelopment plan.

NOTE: Addendum No. 6 is in conformity with the Official Plan of the Hamilton Planning Area. The Official Plan was approved by the Minister under the Planning Act on June 1, 1982.

18. a) That the letter dated 1986 April 8, appended hereto as Appendix "L" from Milligan, Cresko and Charuk concerning the pooled parking agreement for the Sheraton Hotel and subject to the following additional clauses, be approved, and that Yale Properties be requested to submit a revised proposal, including:
 - (1) The rates charged for parking in the Hotel will be the same as those charged by Yale for parking in Jackson Square.
 - (2) Access to and egress from the parking will be available at all times. The ramp in the Hotel will be inbound only, and Hotel guests will have available to them the Yale exit ramp to King Street.
 - (3) Yale will make available in their parking area, after normal business and shopping hours, a number of parking spaces for Hotel guests (number and location to be determined).
 - (4) No monthly parking spaces will be allotted in the Hotel's parking area.
 - (5) The agreement will be cancelable by either party upon 6 months notice.

- (6) The provisions in Appendix "M" attached will be included (as prepared by the City Solicitor).
 - (7) Lakeview Development is to be made a party to this agreement, and to pay the value, to Yale, of the four parking spaces which were eliminated by the exit from the Hotel into Phase Four.
 - (8) Lakeview will be requested to agree to reimburse the City for any annual deficit which may occur in the net proceeds to the City in operation of the Hotel Parking.
- b) That the City receive the necessary OMB approvals:
19. The Corporation of the City of Hamilton accept the sum of \$63 727.38 as cash payment in lieu of 5% dedication in connection with "Roma Gardens - Phase I", Hamilton.
20. The Corporation of the City of Hamilton accept the sum of \$130 604.00 as cash payment in lieu of 5% dedication in connection with "Courtland Estates", Hamilton.
21. a) That approval be given to the "Intent to Designate" the property of St. Paul's Presbyterian Church at James Street South as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1986.
- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
- NOTE: Attached as Appendix "N" is a copy of a report prepared for LACAC which contains the "Reasons for Designation". The Committee wishes to advise that the property owner, St. Paul's Presbyterian Church, has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.
22. a) That approval be given to the "Intent to Designate" the property of Hamilton Waterworks - 1913 Pumping Station at 900 Woodward Avenue as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.

- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

NOTE: Attached as Appendix "O" is a copy of a report prepared for LACAC which contains the "Reasons for Designation". The Committee wishes to advise that the property owner, the Regional Municipality of Hamilton-Wentworth, has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

23. a) That approval be given to the "Intent to Designate" the property of High Level Bridge at York Boulevard as a structure of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.

That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

NOTE: Attached as Appendix "P" is a copy of a report prepared for LACAC which contains the "Reasons for Designation". The Committee wishes to advise that the property owner, the Regional Municipality of Hamilton-Wentworth, has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

24. a) That approval be given to the "Intent to Designate" the property of Landed Banking and Loan Company at 47 James Street South as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.

- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

NOTE: Attached as Appendix "Q" is a copy of a report prepared for LACAC which contains the "Reasons for Designation". The Committee wishes to advise that the property owner, Karl Heeb, President, Holka Management Company, has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

25. That approval be given to the request of the owner of the Pasadena Apartments, 27 Bold Street, a property now in the process of being designated under the Ontario Heritage Act, to construct side entrances into the basement.

26. That leave be granted to introduce the following Bills:

- | | |
|------|---|
| D-74 | By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the North Side of Stone Church Road West, in the Area West of Upper Paradise Road. |
| D-75 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the South-West Corner of Stone Church Road West and Upper Paradise Road. |
| D-76 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 302 Brucedale Avenue East. |
| D-77 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 131 Aberfoyle Avenue. |
| D-78 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the North Side of Rymal Road East, in the Area West of Upper Ottawa Street. |
| D-79 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the South-West Corner of Bay Street South and Main Street West. |

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

Lynn Dale, Acting Secretary,
Planning and Development Committee

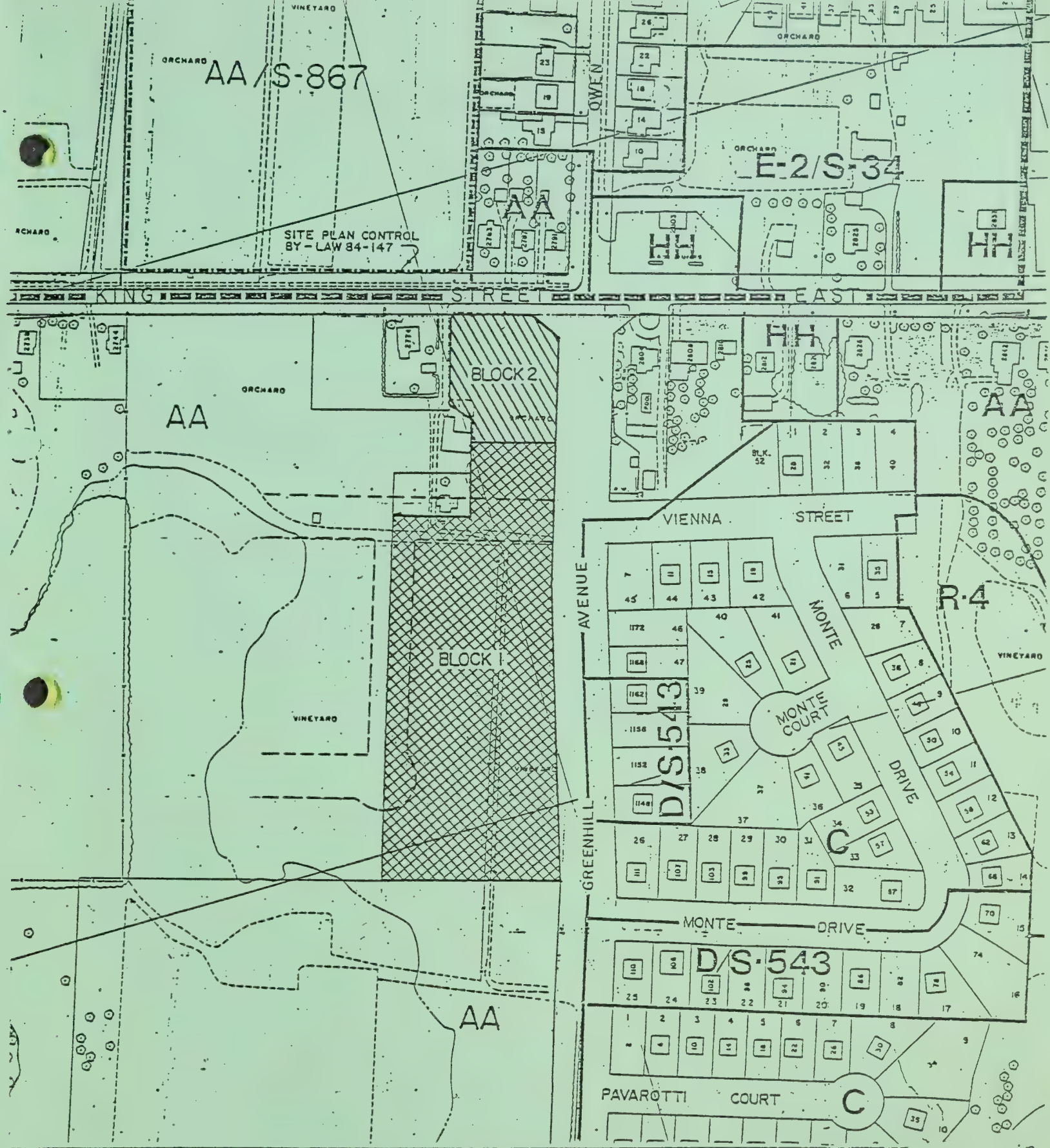


Change in Zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District

Change in Zoning from "D" (Urban Protected Residential Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District


Change in Zoning from "RT-20" (Townhouse-Maisonette) District to "C" (Urban Protected Residential, etc.) District


Appendix "B" as referred to in Item 3 of the Twelfth Report for 1986 of the Planning and Development Committee



LEGEND

Change in Zoning from "AA" (Agricultural) District

LOCK 1  "C" (Urban Protected Residential, etc.) District

LOCK 2  "HH" (Restricted Community Shopping and Commercial) District

Appendix "C" as referred to in Item 5(b) of the Twelfth Report for 1986 of the Planning and Development Committee

A P P E N D I X D

COMMERCIAL FACADE LOAN PROGRAMME

1. Limited to Business Improvement Areas (B.I.A.):
located in a redevelopment area.
2. All loans at an interest rate half of the City's prime borrowing rate.
3. Maximum loan amount \$15,000. for facade and exterior renovation.
4. Maximum loan for facade \$10,000.
5. Loan amortized over ten years (open).
6. The building envelope would be inspected, including exterior shell (foundation, exterior walls, roof, fire escapes and chimneys). Any deficiencies would have to be corrected before facade improvements (store fronts, aesthetics, signage, etc.) would be considered.
7. Loan secured by lien on title. Professional fees (architects, engineers, appraisers, solicitors, etc.) eligible expense.
8. Owners only could make loan. However, tenants could work with landlords, but landlord must make the financial commitment.
9. Equity must be sufficient to cover outstanding property commitments including City Lien.
10. Repayment will be on a monthly basis but open to full repayment at any time at no penalty.
11. All money collected on repayment to be placed in a recyclable account to continue programme after original Capital Budget allocation.
12. Maximum loan to any one owner \$50,000.
13. Unit eligibility will be based on latest revised business assessment rolls.
14. Loan transferable to new owner providing new owner meets and agrees to terms and conditions of loan.
15. If cost of facade improvement exceeds \$1,000., the owner will be requested to obtain the service of a design consultant to ensure compatibility with the surrounding properties. Any cost for this service will be eligible for funding under the Programme.
16. Included in the Terms of Reference of the design consultant must be confirmation that he has contacted the City's Planning and Development Department to discuss with them any concerns they have regarding the heritage features of the building and include their comments in the consultant's report.

Appendix "D" as referred to in
Item 10(e) of the Twelfth Report
for 1986 of the Planning and
Development Committee

SCHEDULE 'A'

Mr. G. Thompson, Chairman
International Village B.I.A.
c/o G.W. Thompson Jeweller &
Pawnbroker Limited
191 King Street East
HAMILTON, L8N 1B3
1986 May 13

1986 May 20
Ecc. 001416
750-14

The Corporation of the City of Hamilton
Community Development Department
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Attn: Mr. E. W. Kowalski, Director
Community Development

Dear Mr. Kowalski:

Re: International Village Business Improvement Area

The International Village Business Improvement Area, at its general meeting held, 1986 April 07, elected a Board of Management and adopted an annual operating budget for 1986 of sixty thousand dollars (\$60,000).

The following constitutes the Board of Management:

Gord Thompson Chairman	G.W. Thompson Jeweller & Pawnbroker	525-9448
Mary Bowden Vice-Chairman	Book Villa	525-2637
Ruth Rehak Secretary-Treasurer	Rehak Pastry & Coffee Shop	389-2863
Dino Tedesco	Venetian Jewellers	528-6961
Maria Petrou	Jim's Leather Goods	523-1744
Gary Frydman	New York Boutique	527-6537
Austin Murray	Denningers	528-8468
Solly Adler	Solly's Men's Shop & Forman Rental	522-3332

All of these business people are members in good standing of the existing Business Improvement Area (designated by By-law No. 76-019 passed in 1975).

Please forward this information to City Council necessary by-laws are passed.

Appendix "E" as referred to in Item 12.1 of the Twelfth Report for 1986 of the Planning and Development Committee

The following constitutes our schedule of payments:

1986, June	01	\$20,000.
1986, July	01	\$20,000.
1986, August	01	\$20,000.

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in dark ink, appearing to read 'G. Thompson', written in a cursive style.

G. Thompson, Chairman

SCHEDULE 'B'

International Village
Hamilton Ont.

April 3 1986

We nominate steels Restaurant 16 Jarvis
Hamilton Ont., to join the International
Village Hamilton Ont.

Gord Thompson

Gord Thompson

Bob Payne

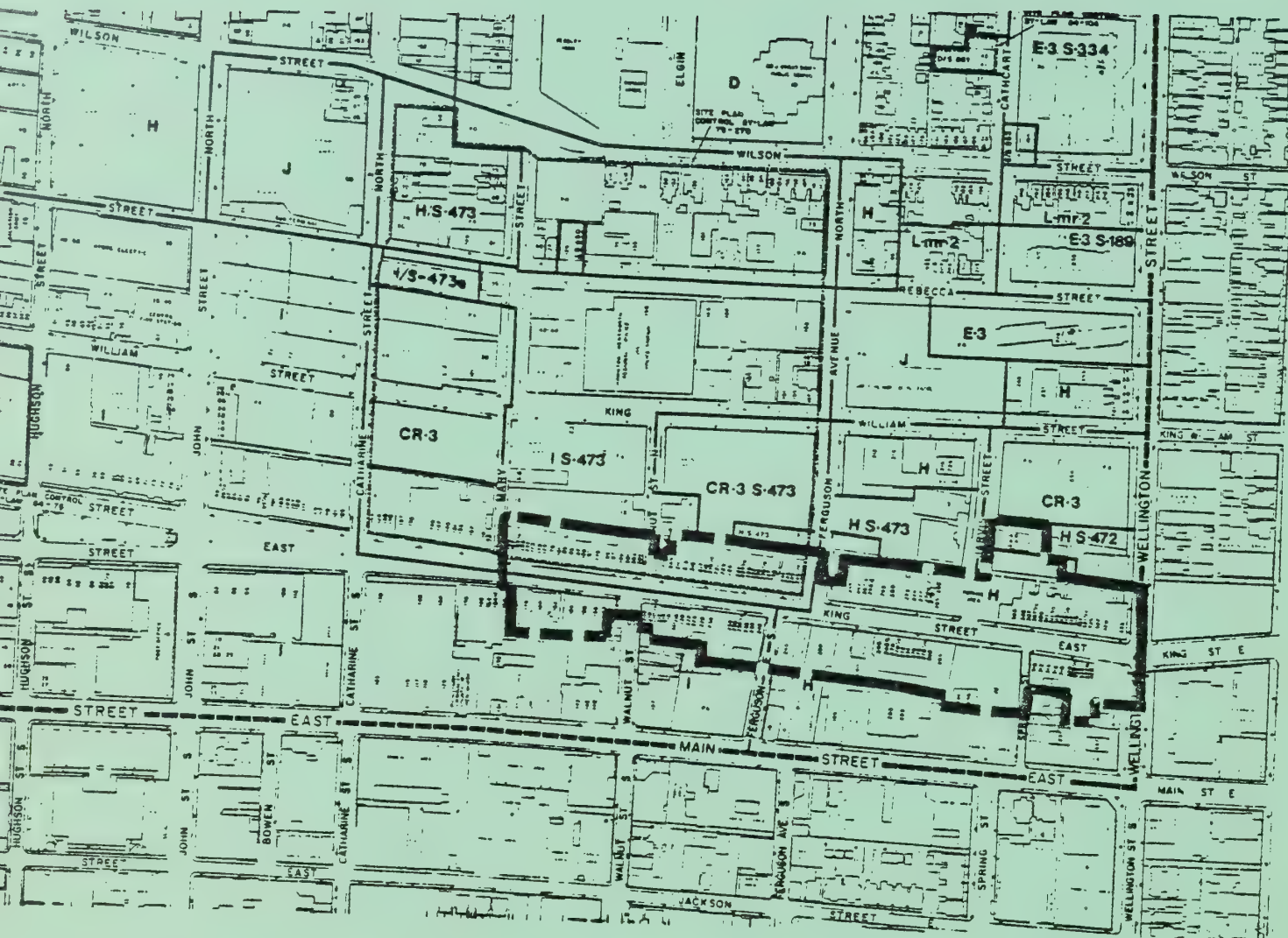
Bob Payne

1986 April 4
800-0014.6
744-19

8/4/86
[Signature]

Appendix "F" as referred to in
Item 12.3(a) of the Twelfth Report
of the Planning and Development
Committee for 1986

SCHEDULE 'C'



Appendix "G" as referred to in
Item 12,.3.(a)(i) of the
Twelfth Report for 1986 of the
Planning and Development
Committee

JAMES STREET NORTH STREETSCAPE EXTENSION
TO THE DOWNTOWN HAMILTON ACTION PLAN (Phase V)

REDEVELOPMENT PROJECT

TERMS OF REFERENCE FOR SUBMISSIONS

FROM DESIGN FIRMS

1. Submissions

Proposals are invited from planning, architecture or landscape architecture firms, members of O.A.A., C.I.P. or O.A.L.A., for the design of James Street North from Vine Street to the C.N.R. mainline, to be submitted to the City Clerk, etc., not later than _____.

Fees expected should be stated in three separate sections:

- a) Consultation and design, including meetings with City staff and Committees, to completion of design and development with drawings, perspectives and study model.
- b) Working drawings and specifications ready for tender. (General Conditions and tender form will be provided by the City).
- c) Field review during construction.

Proponants should state their qualifications and related experience, staff to be assigned, and any other relevant information.

2. Schedule

Start work immediately after approval of City Council, tentatively _____.

Complete full design development by _____.

Complete tender documents by _____.

3. Qualifications

Principal(s) with a degree in Landscape Architecture, Member of O.A.L.A. and/or Architecture, Member of O.A.A., and/or Planning, Member of C.I.P.

Experience in urban revitalization schemes as designer, working with other professions - projects to be stated, brief mention of scope.

Knowledge of Hamilton; residence in Hamilton area by one or more principals or associates.

Sufficient qualified staff to carry out the work expeditiously, sub-consultants, if any, to be listed.

4. Work Programme

Assess current situation; briefing by Downtown Hamilton Action Plan Co-ordinating Committee.

Investigate potential for design using Council objectives, add all relative background material, as main principles; report on alternatives, assist in selection.

Appendix "H" as referred to in Item 13 c) of the Twelfth Report for 1986 of the Planning and Development Committee

4. Work Programme cont'd...

Prepare presentation drawings and study model showing proposal accepted by Sub-committee; present to Planning and Development Committee; revise as required.

Consider economical use of present materials at all times; conform to approved budget. (approximately \$1,400,000.).

Liase with business community on individual basis as a group (B.I.A.).

5. Scope of Work

Design entire section of James Street North from Vine to C.N.R. mainline, interfacing with existing new streetscape treatment on James Street between Main and Vine Streets within the scope of Phase II of the Downtown Hamilton Action Plan.

Prepare full presentation plan, colour perspectives, study model and samples, cost estimates; present these to sub-committee, public meeting, Business Improvement Area etc.

After approvals, prepare plans and specs for tender of landscape/ and other approved items.

Work with Co-ordinating Committee technical members so they may complete traffic, road, electrical, or other parts of the work to suit the approved plan.

Carry out field review of work certify accounts, report.

6. Responsibilities

Meet with Co-ordinating Committee as required to expedite all interfaces with existing work and other technical work; obtain their approvals.

Present schemes approved by Downtown Hamilton Action Plan Co-ordinating Committee, to the Public for input and to the Planning and Development Committee and subsequently to Council for approval, including budget as required.

Provide professional and technical staff, as required; review tender and revise at no extra cost if budgets are exceeded.

17. The owner will obtain two estimates for building envelope based on inspection, and two for facade improvements wanted by owner. (The Building Department will approve the estimates based on their inspection.) The B.I.A. Board of Management will review the facade improvements and be requested to submit a letter supporting or rejecting proposal. A full report will be prepared by the Department of Community Development incorporating our recommendations, the Building Department's, the Planning and Development Department's and the B.I.A.'s. These, with the application, will then be forwarded to the Planning and Development Committee and City Council for approval.
18. Property Taxes must be current.
19. Only completed work which has been inspected will be paid for.
20. Exterior rehabilitation work will, if at all possible, be done first before facade improvement started.
21. Proposed funding from 5 year Capital Budget:
 - \$100,000. - 1986;
 - \$100,000. - 1987;
 - \$100,000. - 1988.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
1. That the grantee shall commence construction of a building, having a minimum building area of 9,000 square feet, upon the hereinbefore described land by not later than March 15th, 1987.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
 2. That the grantee shall complete construction of the said building not later than March 15th, 1988.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "I" as referred to in
Item 15 of the Twelfth Report
for 1986 of the Planning and Development Committee (b)

(For Non-Land Titles, June, 1983)

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of 5000 square feet, upon the hereinbefore described land by not later than June 29th, 1987
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the grantee shall complete construction of the said building not later than June 29th, 1988
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "J" as referred to in
Item 16 of the Twelfth Report
for 1986 of the Planning and .1(b)
Development committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - ,if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

BARRISTERS & SOLICITORS

COUNSEL
ROGER B. CAMPBELL

TELEPHONE (416) 522-7700

SUITE 330 - ROBERT THOMSON BUILDING
110 KING STREET WEST

MAIL: BOX 738 M.P.O.
HAMILTON, ONTARIO
L8N 3M8

April 8, 1986.

FILE NO. 312-00042
LETTER NO. 141-20
APR - 9 1963
CITY ARCHITECT'S DEPT.

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David C. Freeman, Esq.,
City Architect and
Co-Ordinator,
The Lloyd D. Jackson Square,
Office of the City Architect,
The Corporation of the
City of Hamilton,
Hamilton, Ontario.

Dear Mr. Freeman:

Re: Interface Agreement - Parking
Agreement for Pooled Parking of
the Sheraton Hotel

In connection with the above matter, on behalf of Yale Properties Limited, we acknowledge receipt of your letter of March 27, 1986. We also confirm the various discussions on an informal basis between the writer and yourself and between Mr. E. Mashaal and yourself.

In order to provide a possible solution to this difficult matter, we are pleased to submit the following proposal on behalf of our clients. (Fourth Phase Civic Square Limited, Second Phase Civic Square Limited and First Phase Civic Square Limited).

As you can appreciate, this proposal is for the purposes of discussion and consideration as the various items to be considered must be clarified by way of a more formal arrangement.

Our client would operate, manage and administer the Hotel Parking Garage (the "Parking Garage") on behalf of The Corporation of the City of Hamilton (the "City") on the following basis:

(a) The financial arrangement shall be generally as follows:

Appendix "L" as referred to in Item 18(a) of the Twelfth Report for 1986 of the Planning and Development Committee

David C. Freeman, Esq.

April 8, 1986.

- (i) Our clients will remit to the City annually the sum of Fifty-two Thousand Dollars (\$52,000.00) on a quarterly basis, subject to adjustment as hereinafter mentioned.
- (ii) Our clients will be responsible for and shall pay the expenses of administration, employees, cleaning, general housekeeping maintenance, tickets, insurance and miscellaneous normal operating expenses.
- (iii) The City will be responsible for and shall pay the cost of realty taxes, heat, light and power, and the maintenance, repair and replacement of the Parking Garage and its operational equipment.
- (iv) All revenue received from the same would be retained by our clients.
- (b) Our clients would have total control of the operation and administration of the Parking Garage on a twenty-four (24) hour basis and will make available access to and egress from the Parking Garage to a designated portion of the existing Jackson Square Parking. *The garage must operate 24 hours.*
- (c) The parking rates applicable to the Parking Garage will be *consistent* with the parking rates applicable to the existing Jackson Square Parking. As such parking rates increase then the amount to be paid to the City in (a) (i) above will be increased by a formula which will take into consideration the proportion of our clients' monthly, daily and evening parking charges.
- (d) The agreement would be for a term of ten (10) years and unless extended would be terminated at the end of such period.
- (e) The City will be responsible for the costs of constructing grills and other matters including any equipment to be provided to permit an area to be segregated from the Jackson Square Parking during the hours it is normally closed and for any other construction modifications that are required from time to time in order to operate the combined parking on an efficient and cost-conscious basis.
- (e) The City's architect and our clients' architect will review the construction of the Parking Garage and its equipment and systems to ensure that the same are in a *proper and safe manner*.

David C. Freeman, Esq.

April 8, 1986.

first-class operating condition and are completely operational. The City will during the term periodically review the structure of the Parking Garage to ensure that it is always maintained in this manner. The City will be responsible for all repair and maintenance and replacement as referred to in (a) (iii) above including damage from leakage, salt deterioration, equipment replacement and similar matters. Our clients will be responsible and pay for the housekeeping of the Parking Garage i.e. sweeping, signage and lineage.

- (g) All of the foregoing is subject to the completion of all required documentation in a form satisfactory to our clients and ourselves within a reasonable period, and in any event, prior to the arrangement set out in this proposal being effective.

We would be pleased if you would review this proposal with the appropriate representatives of the City and in the event that any interest in pursuing this proposal is expressed, then advise the writer accordingly. Thereafter we will proceed to prepare and submit a formal proposal by way of an Offer which can be considered by City Council and which will specify fully the arrangements referred to herein.

As indicated, this proposal is of a preliminary nature and is made on the basis that the City has now determined that the proposal set out in our letter of August 9th, 1985 is not acceptable to it. This proposal shall be void if we are not advised within thirty (30) days that the City is interested in settling the specifics of the same.

As discussed with you, the writer will be available at the next Meeting of the Planning and Development Committee and at any time thereafter to meet with such of the representatives of the City and their advisors as may required.

Yours very truly,

MILLIGAN, GRESKO & CHARUK

JGM:BL

Per



EXHIBIT "A"

General Provision to Protect City Interests in Hotel Parking

referred to in Paragraph Three of
Memorandum dated May 2, 1986
to the Planning & Development Committee
from the City Solicitor's Office

- (a) That Yale be required to place comprehensive general liability insurance and Garage Keeper's liability insurance in an amount not less than \$2,000,000.00 naming the City, Lakeview Development Ltd. and their respective officers and employees as insured and that Yale be required to indemnify the City from all claims which may arise as a result of Yale's operation of the parking. These provisions are necessary because the City has turned over the operation of the parking to Yale who should then be responsible for such claims.
- (b) That Yale be prohibited from assigning the Parking Agreement because the City is relying upon Yale's experience and its existing adjacent parking to be integrated with the Hotel parking.
- (c) That Yale be required to confirm that once the Parking Sublease is executed between Lakeview and the City that Yale shall grant the City in an Interface Agreement, an easement through Yale's premises for access from the Hotel parking to King Street.
- (d) That Yale be required to confirm that upon expiry of the ten year Parking Agreement (or upon its earlier termination) that the City has the right to renew on the same terms and conditions.

Appendix "M" as referred to in
Item 18(a)(6) of the Twelfth
Report for 1986 of the Plann-
ing and Development Committee

SCHEDULE 'B'
REASONS FOR DESIGNATION

ST. PAUL'S PRESBYTERIAN CHURCH, JAMES STREET SOUTH

St. Paul's Presbyterian Church located on James Street South at Jackson Street is one of Hamilton's outstanding architectural monuments. Originally known as St. Andrew's Presbyterian Church, the Gothic Revival structure was designed by architect William Thomas and built in 1854-57 of local limestone by stonemason George Worthington.

Architecturally, St. Paul's is considered "still the best Decorated Gothic Revival Church in Ontario" according to Marion MacRae and Anthony Adamson in Hallowed Walls. The church is a masterpiece of Gothic Revival detailing, executed in both stone and wood, and an outstanding example of local limestone construction. Since its completion, the church has acquired additions but the integrity of the original design has survived intact.

With its stone spire reaching a height of 180 feet, St. Paul's is an important component in the monumental and historic streetscape of James and Main Streets and a distinctive landmark of the city's downtown skyline.

The church is significant also as a major work of one of Canada's leading nineteenth-century architects, William Thomas.

Historically, the building of St. Paul's marks the point when the local presbyterian church as well as the City of Hamilton itself had become established as a permanent and growing community.

Important to the preservation of St. Paul's Presbyterian Church is the retention of the four exterior facades and the interior of the original church; the exteriors of the stone chapel addition built in 1877 by architect Peter Brass, and enlarged in 1909 by Frank Darling; and the chancel extension of 1909 by Hugh Vallance. Designation includes but is not limited to the

masonry walls, buttresses and spire; the pointed-arch windows and doorways; the roof and dormers, the decorative wooden porches, tracery windows, wooden doors, stone pinnacles mouldings and carved decoration; and on the interior the narthex and sanctuary including the chancel, pulpit, gallery, stained glass and tracery windows, timberwork ceiling, lighting fixtures, carved woodwork, pews excluding the ones in the transept and the original Communion Table.

SCHEDULE "B"

REASONS FOR DESIGNATION

1913 PUMPING STATION, 900 WOODWARD AVE.

The 1913 Pumping Station at 900 Woodward Avenue is a component of the Hamilton Waterworks complex, located near the lakefront at the east end of the city.

The one-story brick structure of 1913 stands directly east of the nationally important 1859 Pumphouse, now the Museum of Steam and Technology. The exterior is articulated with similar large-scaled round-arched windows and doorways, characteristic of Classical Revival Waterworks architecture.

Designed by Hamilton architect W.A. Edwards and City Engineer Andrew F. Macallum, the pumping station is a low horizontal building with a flat roof, ornamental cornice and balustrade. The interior has a large, open, unobstructed and well-lit gallery, designed for housing electric, and later, steam-powered turbines.

The building functioned as a pumping station from 1914 to 1951 and has survived today relatively unaltered. Current plans are to convert the building into additional exhibition space for the adjacent museum.

Architectural significance of the 1913 Pumping Station derives from its context, its stylistic treatment and its association with a well-known local architect. Built during the period of the city's rapid industrial growth, the building is of historical interest as the fourth pumphouse in the Hamilton Waterworks, two of which have been demolished.

Important for the preservation of the 1913 Pumping Station is the retention of the original features on east, south and west facades, including but not limited to, the brick walls, rounded-arched windows, the doorways, transoms, pilasters, iron cornice and brick balustrade, and on the interior, the open main gallery with its oak ceiling and travelling crane.

Appendix "O" as referred to in
Item 22 of the Twelfth Report
for 1986 of the Planning and
Development Committee

SCHEDULE "B"

REASONS FOR DESIGNATION

HIGH LEVEL BRIDGE, YORK BOULEVARD

The construction in 1932 of the High Level Bridge was the result of an international competition held by the Hamilton Parks Board for the "Improvement of the Northwestern Entrance to the City of Hamilton".

Architect John Lyle, the engineering firm of James, Proctor and Redfern, and the City's Engineering Department collaborated on a design of a short span steel cantilever bridge which was erected by the Hamilton Bridge Company.

Of particular significance is Lyle's architectural design of the bridge which featured a pair of monumental pylons at each end, connected by an ornamental metal balustrade and lighted by the pylon lanterns and, originally, ornamental steel light standards (since removed). The open design of the bridge takes advantage of its unique location on Burlington Heights by affording views east to Hamilton Bay and west to Cootes Paradise.

As the major architectural element at the north-west entranceway, the High Level Bridge is an important component in the gateway scheme which also included the development of the Royal Botanical Garden's Rock Garden and Memorial Garden.

Historically, Lyle's structure is the fourth and culminating High Level bridge to span the Desjardins Canal since the canal was cut through in the 1850's. The bridge is of provincial significance and is included on the Ontario Heritage Bridge List.

Important to the preservation of the High Level Bridge is the retention of the following original features: the steel structure, the stone-faced pylons with their decorative elements and ornamental lanterns, and the metal and concrete balustrade.

Appendix "P" as referred to in
Item 23 of the Twelfth Report
for 1986 of the planning and
Development Committee

SCHEDULE 'B'

REASONS FOR DESIGNATION

LANDED BANKING AND LOAN COMPANY

47 JAMES STREET SOUTH

Located at 47 James Street South on the north-east corner of Main Street, the three-story Classical Revival bank was built originally for the Landed Banking and Loan Company in 1908. In 1944, the building became the branch office of the Canada Permanent Bank and from 1972 to 1985, it housed the Mercantile Bank of Canada.

The building is considered a major architectural landmark of the downtown core. Its significance derives in part from the exceptionally skillful use of Classical Revival features - the limestone corinthian columns and pilasters, the large-scaled entablature and the rooftop balustrade, all of which still retain their original appearance. Behind the historic facade is a modern steel frame construction.

Although attributed to local architect Charles Mills, the bank is a close copy of New York City's Knickerbocker Trust and Safe Deposit Bank, which was built in 1904 and designed by the acclaimed leaders of the Classical Revival Style in North America, McKim, Mead and White. Now that the original New York bank has been demolished, the Hamilton example acquires greater significance.

As a high-styled and distinctive work of architecture on a prime corner location in the downtown core, the Landed Banking and Loan Company serves as an anchor block and vital component in the complex of historic architectural monuments centred in the Main-James Street area.

Historically, the Landed Banking structure is now the oldest bank building still standing in the city's original financial centre.

Of importance to the preservation of 47 James Street South is the retention of the original features on the west and south facades, including but not limited to the Indiana limestone columns and pilasters, the wall panels, fenestration, doorways, entablature and balustrade.

Appendix "Q" as referred to in
Item 24 of the Twelfth Report
for 1986 of the Planning and
Development Committee

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its THIRTEENTH Report for 1986 and respectfully recommends:

1. That approval be given to Zoning Application 86-33, William Nethercott Ltd., owner, for a change in zoning from "AA" (Agricultural) District and "AA" (Agricultural) District, modified, to "HH" (Restricted Community Shopping and Commercial) District, modified, for property located at the rear of No. 1591 Upper James Street and Nos. 31 and 49 Rymal Road East, as shown on the attached plan marked as Appendix "A", on the following basis:
 - (a) That the lands shown as Blocks "1" and "2" be rezoned from "AA" (Agricultural) District and "AA" (Agricultural) District modified, to "HH" (Restricted Community Shopping and Commercial) District;
 - (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to Blocks "1" and "2", be modified to include the following variance as a special requirement:
 - (i) notwithstanding the provisions of Section 14A(1) of By-law No. 6593, the following use shall be permitted:

Accessory Commercial Use

 - (a) An Auto body, fender repair and paint shop.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-967, and that the subject lands on Zoning District Maps E-9D and E-9E be notated S-967;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-9E; and,
 - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment no. 28 by the Minister of Municipal Affairs.

That a separate By-law for No. 1591 Upper James Street and Nos. 31 and 49 Rymal Road East be prepared.

NOTE: The purpose of the By-law is to provide for the following changes in zoning:

Block "1" Change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified, to permit development of the subject land for an automobile dealership and allow an auto body repair and paint shop as an accessory use.

Block "2" Change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified, to permit use of the subject lands in conjunction with the established automobile dealership (Nethercott Chev-Olds Ltd.,) at No. 1591 Upper James Street, for the continued parking and storage of cars as well as permitting an auto body fender repair and paint shop as an accessory use.

2. That approval be given to Zoning Application 86-35, Douglas Nash, owner, for a further modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for property located at the north-east corner of Upper Paradise Road and Stone Church Road West, as shown on the attached plan marked as Appendix "B", on the following basis:

- (a) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A of By-law No. 6593, applicable to the subject property be further modified to include the following variance as a special requirement:
 - (i) That notwithstanding the provisions of Section 14A(1)(d) of By-law No. 6593, a coin operated manual car wash having not more than 6 bays or stalls shall be permitted.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-398a, and that the subject lands on Zoning District Map W-27C be notated S-398a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27C; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is provide for a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for property located at the north-east corner of Upper Paradise Road and Stone Church Road West, as shown on the attached key map.

The effect of the By-law is to permit in addition to the permitted uses under the existing "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, a 6 bay or stall coin operated manual car wash on the north part of the subject property, fronting on Upper Paradise Road.

3. A. That approval be given to Official Plan Amendment No. 40 to redesignate lands located on the east side of Mall Road in the area south of Mohawk Road East, as shown on the attached map marked as Appendix "C", from "Major Institutional" to "Commercial" land use designation, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs.
- B. That approval be given to Zoning Application 86-36, J. J. Barnicke Limited, agent, requesting a change in zoning from "AA" (Agricultural) District to "G-2" (Regional Shopping Centre) District for property located on the east side of Mall Road in the area south of Mohawk Road East, as shown on the attached Appendix "C", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "G-2" (Regional Shopping Centre) District;
 - (b) That the "G-2" (Regional Shopping Centre) District regulations as contained in Section 13B of Zoning By-law No. 6593 applicable to the subject lands, be modified to provide for the following variances:
 - (i) That Section 13B(5) INTENSITY OF USE shall not apply; and,
 - (ii) That notwithstanding Section 18A(26) no access driveway shall be located less than 1.5 m (4.92 ft.) from the northerly lot line.
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-27;

- (d) That the amending By-law be added to Section 19B as S-968, and that the subject lands on Zoning District Map E-27 be notated S-968;
- (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 40; and,
- (f) That the Thorner Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Commercial".

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "G-2" (Regional Shopping Centre) District for lands located on the east side of Mall Road in the area south of Mohawk Road East, as shown on the attached key map.

The effect of the By-law is to permit the future development of the property for commercial uses. In addition, the By-law provides for the following variances:

- i) it waives the 16.0 ha (39.54 ac.) INTENSITY OF USE requirement, whereas the subject property only has an area of 3.2 ha (8.0 ac.)
- ii) it permits the access driveway to be located within 1.5 m (4.92 ft.) of the northerly lot line, whereas a minimum setback of 3.0 m (9.87 ft.) is required (Section 18A(26)).

- 4. (a) That approval be given to Zoning Application 86-38, Mr. J. Arruda, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, for property located at the rear of No. 17 Barton Street East, as shown on the attached plan marked as Appendix "D", on the following basis:

- i) That the lands shown as Block "1" be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District.
- ii) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variance as a special requirement:

- (a) that notwithstanding Section 14.(3)(iii)(c) of By-law No. 6593 a minimum rear yard depth of 1.2 m shall be permitted.
- iii) That the Parking and Loading Regulations as contained in Section 18A of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (a) that notwithstanding Section 18A.(9) of the required manoeuvring space for two of the required parking spaces shall be permitted off-site;
 - (b) the provisions of Section 18A.(12) shall not apply to the easterly side property line adjacent to the right-of-way; and,
 - (c) the provisions of Section 18A(32) shall no apply;
- iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-969, and that the subject lands on Zoning District Map E-3 be notated S-969;
- v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-3;
- vi) That the Beasley Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to a "Commercial" designation; and,
- vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands to Schedule "A".

NOTE: The purpose of the By-law is to provide for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property located at the rear of No. 17 Barton Street East, shown as Block "1" on the attached plan marked as Appendix "D".

The effect of the By-law is to permit the construction of an addition to the rear of an existing building which is to be used in conjunction with the Hardware and Building Supply store located at No. 17 Barton Street East.

In addition, the By-law provides for the following variances:

- i) to permit a minimum rear yard depth of 1.2 (3.94 ft.) whereas a minimum rear yard of 4.5 (14.76 ft.) is required 14.(3)(iii)(c);
- ii) to permit the required manoeuvring space for two of the five required parking spaces to be permitted off-site (18A.(9);
- iii) to delete the requirement of a landscaped planting strip, and a visual barrier along the boundary of the lot abutting the residential district, for that part of the easterly side property line adjacent to the right-of-way (18A.(12); and,
- iv) to delete the requirement of a manoeuvring area for the required loading space and to allow the access to the loading area via a right-of-way (18A.(32) and (33).

5. (a) That approval be given to amended Zoning Application 86-37, Homestarts Inc., prospective owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District and "J" (Light and Limited Heavy Industrial, etc.) District modified, to "DE-3" (Multiple Dwellings) District, for properties located at Nos. 194 to 214 Forest Avenue and No. 88 Aurora Street, as shown on the attached plan marked as Appendix "E", on the following basis:

- i) That the lands shown as Block "1" be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "DE-3" (Multiple Dwellings) District;
- ii) That the lands shown as Block "2" be rezoned from "J" (Light and Limited Heavy Industrial, etc.) District to "DE-3" (Multiple Dwellings) District;
- iii) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (a) that notwithstanding Section 10C(2) a maximum building height of 4 storey shall be permitted; and,

- (b) that notwithstanding Section 10C(5) a maximum of 60 dwelling units shall be permitted.
- iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-970, and that the subject lands on Zoning District Map be notated S-970;
- v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5; and,
- vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending by-law not be considered by City Council until such time as the site plan has been approved by the Planning and Development Committee.

NOTE: The purpose of the By-law is to provide for changes in zoning for properties located at Nos. 194 to 214 Forest Avenue and No. 88 Aurora Street, as shown on the attached plan marked as Appendix "E", on the following basis:

- Block "1" Change from "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District to "DE-3" (Multiple Dwellings) District.
- Block "2" Change from "J" (Light and Limited Heavy Industrial, etc.) District, modified to "DE-3" (Multiple Dwellings) District.

The effect of the By-law is to permit the future development of the property for an apartment building.

In addition, the By-law also provides for the following variances as special provisions:

- a) to permit a maximum building height of 4 storeys as opposed to a maximum building height of only 3 storeys (10C(2); and,
- b) to restrict the development to a maximum of 60 dwelling units (10C(5)).

6. That approval be given to amend the draft approved subdivision Templemead No. 2 by the deletion of Lots 174 to 178 inclusive, Lots 185 to 210 inclusive, Block "E", part of street shown as Lowcrest Court and 2 street widenings abutting Rymal Road East.

NOTE: The purpose of the proposed amendment to the draft approved subdivision is to accommodate the consideration of an application by the Regional Land Division Committee for consent to convey two parcels of land fronting on Rymal Road East.

7. (a) That the existing Cash-in-Lieu of Parking Policy be replaced with a new policy, as per Appendix "F", pursuant to Section 39 of the Planning Act, to be applied throughout the City except in residential zones, where a proposed development and/or redevelopment does not meet the parking requirements of the Zoning By-law;
- (b) That the City Solicitor be directed to amend the existing Cash-in-Lieu of Parking Agreement Form;
- (c) That the new Cash-in-Lieu of Parking Policy above, be implemented on a trial basis for a one year period. At the end of this period, staff will be authorized to submit a progress report at which time a final decision will be made respecting its disposition.

NOTE: Section 39 of the new Planning Act provides the legislative framework to enable a municipality to establish a Cash-in-Lieu of Parking Policy. The purpose of such a Policy is to provide relief from the parking provisions of the Zoning By-law, where it cannot be met, by permitting proponents to make cash payments to the City in lieu of required parking. However, in 1974 the City of Hamilton Act was amended to allow the establishment of such a policy, To ensure implementability, various changes are required to the existing Policy.

8. That the following have been appointed to a steering committee to review the Terms of Reference of the Urban Design Committee and report back to the Planning and Development Committee
- (a) Alderman John Smith representing the Planning and Development Committee
- (b) John Harkness representing the design professions
- (c) Bob Martin representing the Central Area Business Community

- (d) Gil Simmons representing CAPIC
 - (e) Howard Mark representing LACAC
9. (a) That the Chairman of the Planning and Development Committee, the ward Alderman who sits on the Planning and Development Committee and the Director of Local Planning be authorized to approve Site Plans, during the months of June, July and August.
- (b) That any action taken in this regard be reported to the next regular meeting of the Planning and Development Committee for formal ratification.

NOTE: Presently, Site Plans require the approval of the Planning and Development Committee and with a view to expediting matters, the Committee recommends the above procedures during the months of June, July and August, when there will be only one meeting per month of the Planning and Development Committee.

10. Approval of the sale of the parcel of City owned land located on the Northern limit of Goderich Road (5 Goderich) which has a frontage of approximately 46.209 metres (151.6 feet) by a depth of approximately 90 metres (295.27 feet) and containing an area of 4199 square metres (1.037 acres) and more particularly described as parts 1 and 2, Plan 62R-7820 to Angelo Salcicciola, for the sum of \$30,000.

This sale is conditional upon the following:

- (a) It is understood and agreed that the Vendor does not warrant the suitability of the soil conditions of the subject lands to support the construction of the Purchaser's proposed building. The Purchaser does hereby acknowledge the fact he has received a copy of the Geotechnical investigation prepared by the firm of Peto MacCallum Ltd., dated March 1982 and October 14, 1985.
- (b) The Purchaser acknowledges and agrees to pay for at its own cost the extension of sanitary sewer services from the lot line of Part 2, Plan 62R-7820.
- (c) It is understood and agreed by the Purchaser that the subject site is not serviced with storm water control services.

- (d) It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Jack Dunn Real Estate Ltd., whose agent, Mr. Jack Dunn acted in this matter.
- (e) Special building covenants, agreements and restrictions as set out in Appendix "G" attached hereto.

NOTE: Mr. A. Salcicciola intends to construct a 5,000 square foot building for his car restoration business (Super Clean Car Care) which will employ 12 people.

The site in question, due to poor soil conditions, will not support an industrial building without excavating the building area to a depth of 12-15 feet and bringing in granular fill which must be compacted. Another method would be to drive piles into the ground to support the footings.

The above procedures are very expensive and in view of this problem, the Director of Real Estate recommended reducing the selling price of this property from \$71 000., to \$30 000.

11. Approval of the sale of a parcel of City owned land located on the Northern limit of Goderich Road (15 Goderich Road) having a frontage of approximately 46 metres (150.91 feet) by a depth of approximately 89.922 metres (295.24 feet) and containing an area of 4139.6 square metres (1.02 acres) and more particularly described as parts 3 and 4, Plan 62R-7820, to R. G. Duffie Contracting Ltd., for the sum of \$30 000.

This sale is conditional upon the following:

- (a) It is understood and agreed that the Vendor does not warrant the suitability of the soil conditions of the subject lands to support the construction of the Purchaser's proposed building. The Purchaser does hereby acknowledge the fact that he has received a copy of the Geotechnical investigation prepared by the firm of Peto MacCallum Ltd., dated 1982 March and October 14, 1985.
- (b) The Purchaser acknowledges and agrees to pay for at its own cost the extension of sanitary sewer services from the lot line of Part 3, Plan 62R-7820.
- (c) It is understood and agreed by the Purchaser that the subject site is not serviced with storm water control services.

- (d) It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Jack Dunn Real Estate Ltd., whose agent, Mr. Jack Dunn acted in this matter.
- (e) Special building covenants, agreements and restrictions as set out in Appendix "H" attached hereto terms should be included

NOTE: R. G. Duffie Contracting Ltd., intends to build a 5,000 square foot building for its sewer and excavating business which will employ 12 people.

The site in question, due to poor soil conditions, will not support an industrial building without excavating the building area to a depth of 12-15 feet and bringing in granular fill which must be compacted. Another method would be to drive piles into the ground to support the footings.

The above procedures are very expensive and in view of this problem, the Director of Real Estate recommended reducing the selling price of this property from \$71 000., to \$30 000.

- 12. (a) That the Department of Community Development be authorized to process the following grants and/or loans in an amount not to exceed \$7 500. The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.P. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

i) Ontario Home Renewal Programme

- (a) A. Schrapp 212 Wood Street East
- (b) G. Nastos 88 Sanford Avenue North
- (c) M. Cain 30 Spadina Avenue
- (d) I. Taylor 85 Upper Paradise Road
- (e) A. Alexander 16 Binkley Crescent
- (f) P. Belding 158 Glassco Avenue North

ii) Hamilton Rehabilitation Assistant Programme

- (a) T. Robillard 74 Birch Avenue
- (b) S. Phillips 52 East 22nd Street
- (c) R. Barrette 8 Madison Avenue

(b) That the Officials of the Corporation involved in the Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

13. The Corporation of the City of Hamilton accept the sum of \$32 250., as cash payment in lieu of 5% dedication in connection with "Gurnett Estates - Phase 3", plan of subdivision.

NOTE: These lands are located west of Upper Paradise Road and south of Gilcrest Street in the Gurnett Neighbourhood.

14. The Corporation of the City of Hamilton accept the sum of \$19 600., as cash payment in lieu of 5% dedication in connection with "Helen's Gardens", plan of subdivision.

NOTE: These lands are located west of Upper Paradise Road and south of Stone Church Road in the Falkirk West Neighbourhood.

15. That the Building Commissioner be authorized to issue a Demolition Permit for the demolition of the residential building at 9 Brantdale Avenue for which application has been processed through the Building Department and the Planning and Development Committee:

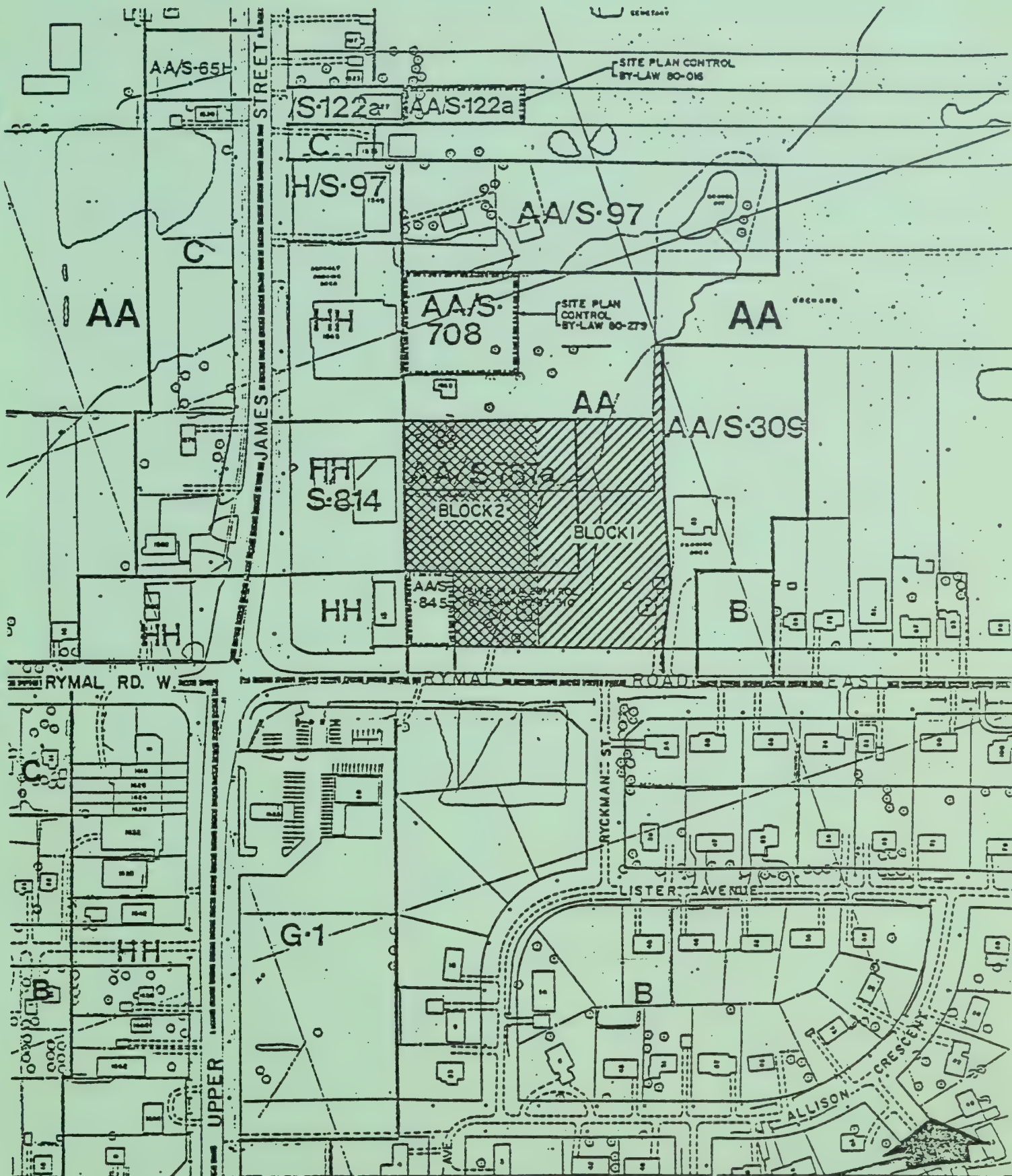
16. That leave be granted to introduce the following Bills:

Respectfully submitted,

Alderman D. Ross, Acting Chairman,
Planning and Development Committee

D-12

J. J. Schatz, Acting Secretary,
Planning and Development Committee



ZA86-33

LEGEND



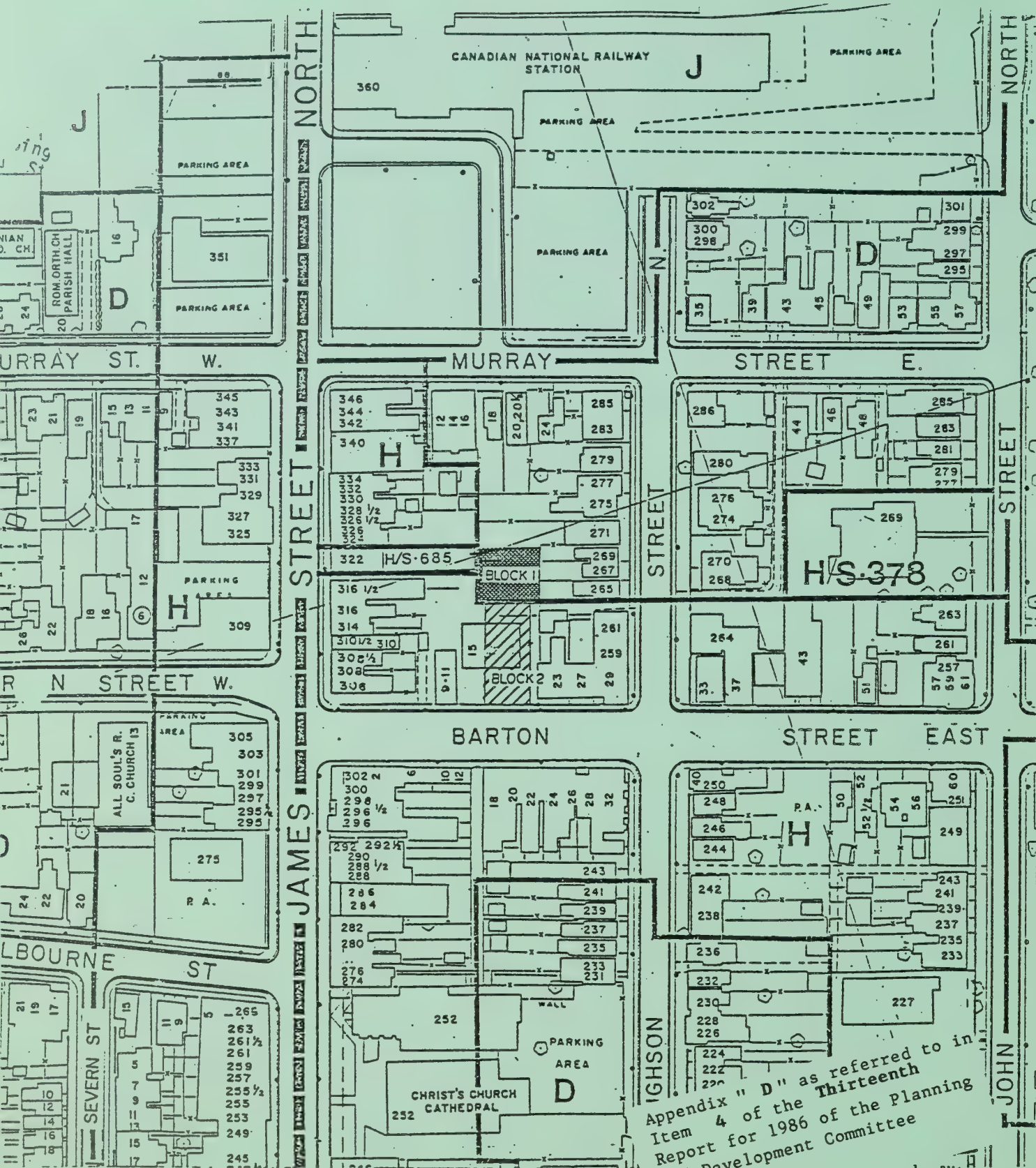
Change in Zoning from "AA" (Agricultural) Community Shopping and Commercial) District

Appendix "A" as referred to Item 1 of the 13th Report for 1986 of the Planning and Development Committee



D-14

Appendix " B " as referred to
in Item 2 of the Thirteenth
Report for 1986 of the Planning
and Development Committee



Appendix "D" as referred to in
Item 4 of the Thirteenth
Report for 1986 of the Planning
and Development Committee

ZA86-38

Legend

BLOCK 1

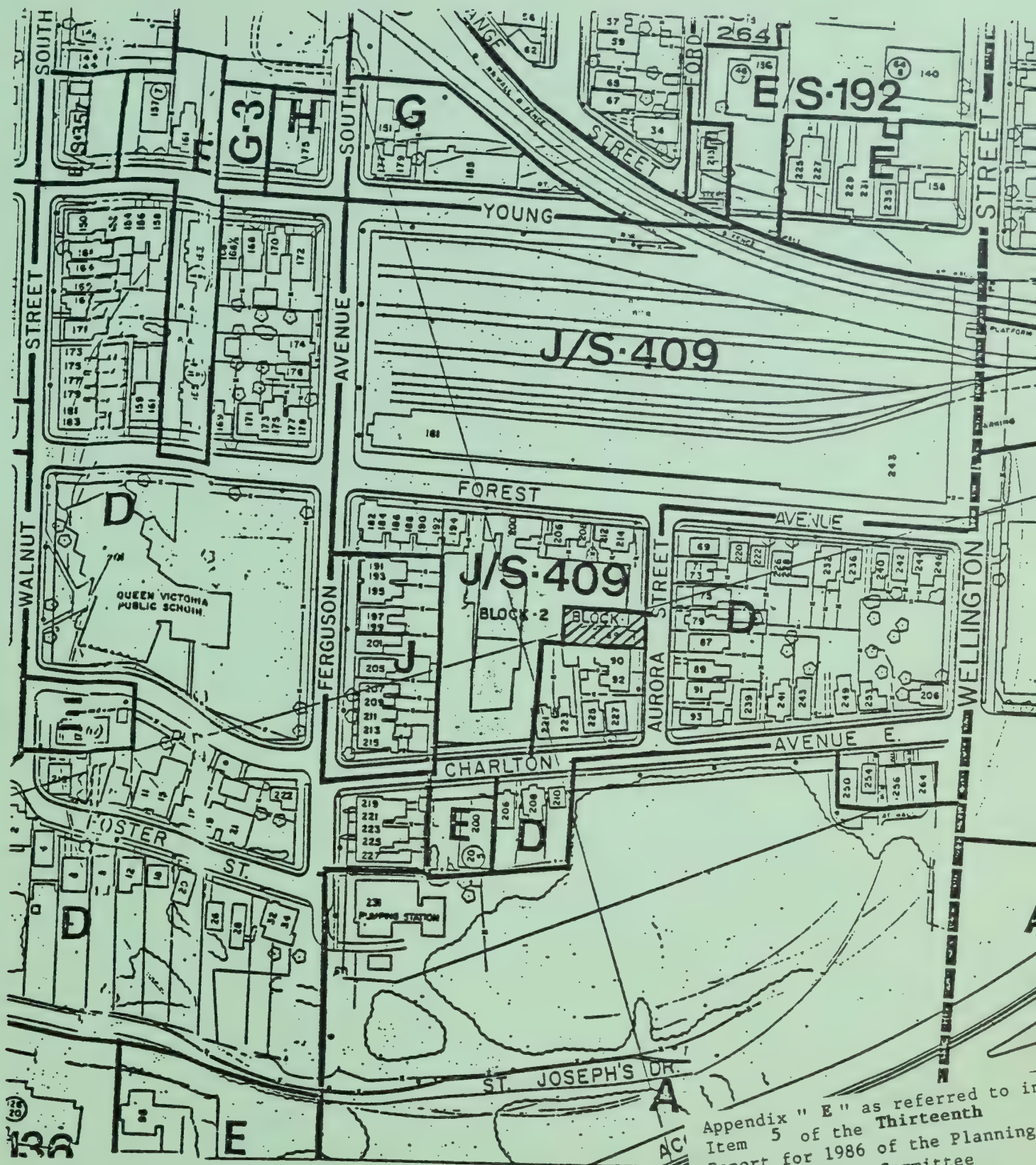


Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District.

BLOCK 1 - BLOCK 2



Site of the Application.



Appendix "E" as referred to in
Item 5 of the Thirteenth
Report for 1986 of the Planning
and Development Committee

LEGEND

BLOCK 1



Change in Zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "DE-3" (Multiple Dwellings) District.

BLOCK 2



Change in Zoning from "J" (Light and Limited Heavy Industry, etc.) District to "DE-3" (Multiple Dwellings) District.

CASH-IN-LIEU OF PARKING POLICY REPORT

The Planning and Development Committee at its meeting held on May 28, 1986 deferred Item No. 14 - Cash-in-Lieu of Parking Policy report until the next scheduled meeting of the Committee. However, prior to deferring the report, Alderman McCulloch requested that staff review the possibility of applying the cash-in-lieu of Parking Policy to residential uses. In response to this request, the following brief explanation has been prepared for the Committee's consideration.

A review of the Committee of Adjustment application for parking variances reveals that 33% of the 283 parking variances granted during the 3.5 year period from January 1983 to March 1986, were for residential uses. Based on this fact, there appears to be merit in applying the Cash-in-Lieu of Parking Policy to residential uses.

However, both the Traffic Department and the Parking Authority have advised that the Policy should not be applied to residential uses on the following basis:

- i) Residential parking requires the issuance of permits and monthly passes. Once a permit or a pass is issued, parking space must be guaranteed.
- ii) Residential parking facilities are not self-sustaining financially.
- iii) Residential parking demand is primarily dependant on car ownership rather than car usage; and
- iv) Residential parking facilities require more administration and supervision than commercial parking facilities.

Given the foregoing, it is recommended that the Parking Policy should not be applied to residential Recommendation i) in the report.

Appendix " F " as referred to in
Item 7 of the Thirteenth
Report for 1986 of the Planning
and Development Committee

POLICY

CASH-IN-LIEU OF PARKINGPURPOSE

Pursuant to Section 39 of the Planning Act, the purpose of the Policy is to provide relief from the parking provisions of the Zoning By-law, by providing proponents of development the option of making a cash payment to the City. Such funds are to be used for the provision of off-street parking on a city-wide basis. The Policy will apply to all areas in the City, except for residential zones.

APPLICABILITY

This Policy could be applied to all developments and/or redevelopments throughout the City except for residential zones. Further, the Policy will be utilized provided that planning and traffic objectives are not jeopardized.

CASH PAYMENT

Payments will be made based on the estimated cost of each required parking not provided in the development and/or redevelopment. Payments made by proponents will not be less than 50% of the total cost of the parking not provided. The cost of each parking space will be calculated based on the following criteria:

- estimated construction cost based on current rates; and,
- estimated land cost determined by current market value of the property.

The following formular will be used to calculate a proponent's share of cash payment in lieu of parking not provided:

- Surface Parking = $(C_1 + (L \times S_1)) \times N \times 50\%$
- Multi-level Parking = $(C_2 + (L \times S_2)) \times N \times 50\%$

- where:
- C₁ = current estimate of construction cost of a surface parking space;
 - C₂ = current estimate of construction cost of a parking space in a multi-level parking structure;
 - L = current estimate of land cost of a parking space based on the current market value of the lands where development and/or redevelopment is proposed;
 - S₁ = size of each surface parking space including space required for aisles and driveways;
 - S₂ = size of each parking space in a multi-level parking structure including space required for aisles and driveways;
 - N = number of parking spaces for which cash payment is requested by the proponent; and,
 - 50% = proponent's share of the total costs.

Payments will be made in a lump sum prior to the issuance of a building permit. Payments may also be made by mutually agreed installments which will include interest. In each case an agreement will be entered into between the City and proponent. In cases when payments are made by installments, the agreement will be registered against the title of the land in the Registry Office, as a lien against the property, until discharged.

All monies will be deposited in the "Reserve Funds for Off-Street Parking" for the purposes of increasing the amount of municipal off-street parking, in the City.

ADMINISTRATION

To administer the Policy, a Cash-in-Lieu of Parking Committee will be established. This Committee will consist of a member from:

- The Traffic Department;
- The Hamilton Parking Authority;
- The Real Estate Department;
- The Local Planning Branch of the Hamilton-Wentworth Planning and Development Department; and,
- The Building Commissioner, who will act as Chairman.

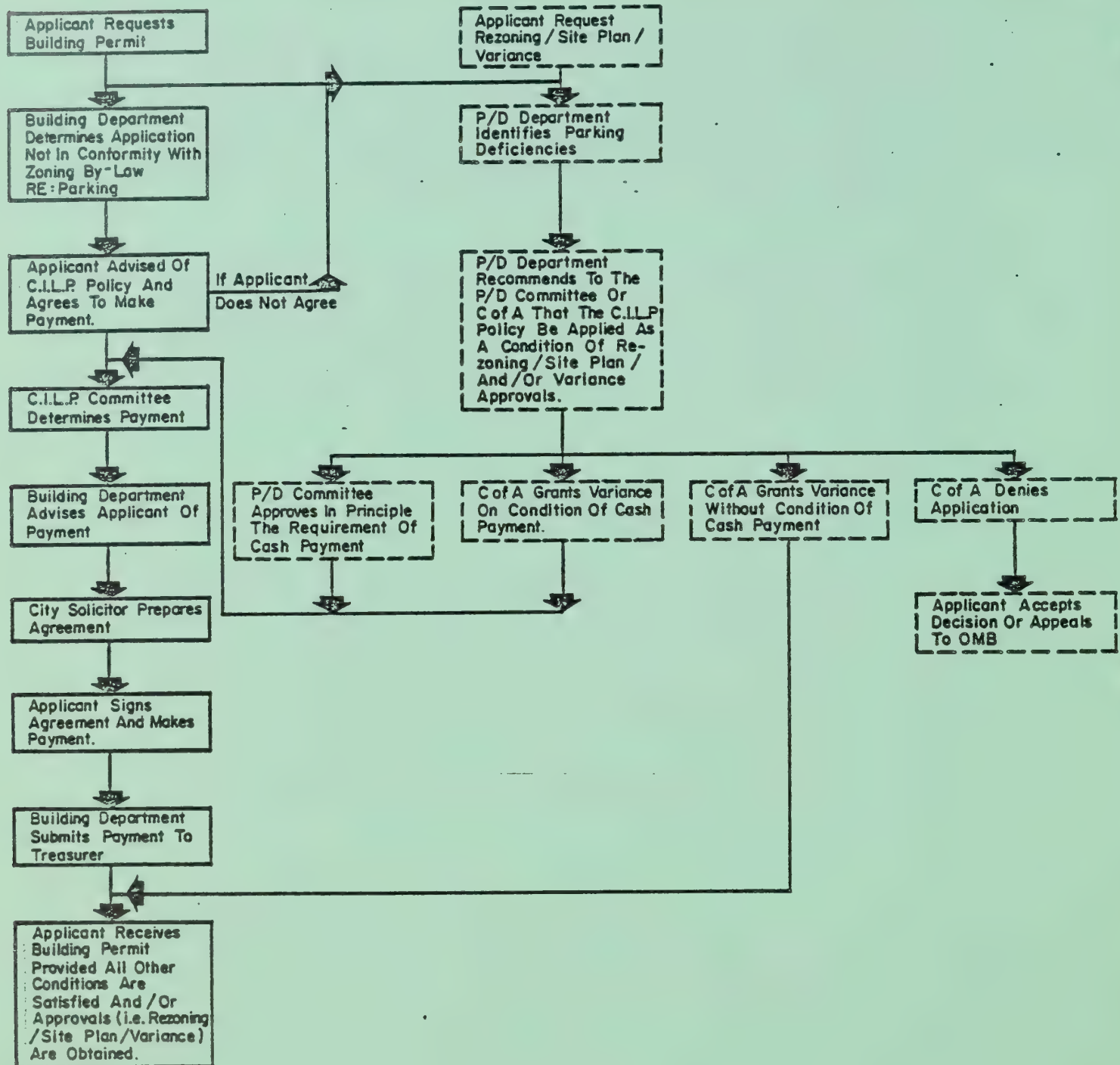
The Cash-in-Lieu of Parking Policy will be applied as a condition of rezoning, site plan and/or variance approvals. The rezoning and site plan approvals would be dealt with by the Planning and Development Committee and the minor variance approval would be through the Committee of Adjustment. This policy will also be applied when a proposed development and/or redevelopment does not satisfy the parking provisions of the Zoning By-law. Further, in providing comments on Committee of Adjustment applications for parking variances, staff will recommend to that Committee that the Cash-in-Lieu of Parking Policy be utilized.

In each case, the Cash-in-Lieu of Parking Committee will determine the cost of each parking space and require a cash payment to be paid by the proponent. The City Solicitor will prepare the necessary Agreement specifying the amount and conditions of payment. An Agreement will be entered into prior to the issuance of a building permit. All monies received will be deposited in the "Reserve for Off-Street Parking Account."

By adopting the Policy, Council will:

- delegate to the Cash-in-Lieu Parking Committee the authority to implement the Policy; and,
- authorize the Mayor and the City Clerk to enter into an Agreement with a proponent on behalf of the City regarding cash payments in lieu of parking.

APPROVAL PROCEDURE FOR CASH - IN - LIEU OF PARKING POLICY



LEGEND :

C.I.L.P. = CASH - IN - LIEU OF PARKING
 P/D = PLANNING AND DEVELOPMENT
 CofA = COMMITTEE OF ADJUSTMENT
 OMB = ONTARIO MUNICIPAL BOARD

ITEM 19 OF BOARD OF CONTROL REPORT - APPROVED BY COUNCIL ON
FEBRUARY 12, 1974.

POLICY

CASH PAYMENT IN LIEU OF REQUIRED PARKING SPACES

PURPOSE

The general purpose of this Policy is to provide relief from the provisions of parking as required by the Zoning By-law, by permitting Developers the option of making a cash payment to the Municipality in lieu of all or part of the required parking, and such funds are to be used by the Municipality for the provision of off-street parking in a City-wide program. More specific objectives of the proposed Policy are as follows:-

- To provide flexibility for the Developer in the development of small or otherwise limited commercial sites.
- To provide funds for the off-street parking program and to facilitate the removal of parking from City streets.
- To promote comprehensive parking lot location, design and operation, by the Parking Authority.
- To effectively influence the quantity, quality and pricing structure of both Commercial and Municipal off-street parking facilities, through the Parking Authority.

APPLICABILITY

- Commercial land uses only.
- All new structures, and additions to or changes in use of existing structures.
- Applies generally in existing commercial areas where it may be feasible for the Parking Authority to operate an off-street lot for the benefit of several businesses.
- Not generally applicable to isolated or outlying areas of limited business activity or parking need.

CASH PAYMENT

- Payment shall be made on the basis of the current estimated cost per required parking space in the area of the development, taking into account whether the facility is likely to be a surface lot or a multi-story garage, and the cost shall represent 50% of the total cost of acquisition, construction, equipment and devices for the operation of the lot.
- Payment may be made in a lump sum, prior to the issuance of a building permit.
- Payment may be made in installments, concurrent with the payment of Municipal taxes, and over a period of not more than ten years, and shall include interest at an appropriate and specified rate. In this case, an appropriate agreement shall be entered into with the City, and shall be registered against the title of the land in the Registry Office as a lien against the property, until the agreement is discharged.
- All monies shall go to the Reserve for Off-Street Parking for the purpose of increasing the amount of off-street parking in the Municipality.

GENERAL

- Cash payment in lieu of required parking spaces shall not be a right, but shall be an exception to the rule which may be granted by the Municipality.

- Cash payment in lieu may be made for all or part of the parking spaces required by the Zoning By-law.

- The Municipality, having accepted the cash payment option, shall be under no obligation to provide parking spaces at any particular location at any particular time.

- Developers electing to use the cash payment option shall have no proprietary rights to free or reduced-rate parking, nor any equity whatsoever in any lot which may subsequently be constructed by the Parking Authority.

ADMINISTRATION

- The Cash in Lieu of Parking Committee shall consist of a member of the Board of Control, a member from the Traffic Department, the Planning Department, the Parking Authority, and the Building Commissioner who shall function as the Chairman of the Committee, and shall administer the Policy.

- The Committee shall recommend, in the case of each application, whether or not the cash option should be accepted by the Municipality, the appropriate charge per parking space, and the means of financing.

- Applications approved by the Committee shall be forwarded to the Board of Control, and thence to City Council.

- Upon approval of accepting the cash option, City Council shall direct the City Solicitor and the City Treasurer to make the appropriate legal and fiscal arrangements with the Developer.

That City Council appoint members to the Cash in Lieu of Parking Committee as set out in this policy, namely:-

- a member of the Board of Control
- a member from the Traffic Department
- a member from the Planning Department
- a member from the Hamilton Parking Authority
- the Building Commissioner who shall be the Chairman of the Committee and shall administer the policy.

The Corporation of the City of Hamilton
 Agreement Made Pursuant To
 The City of Hamilton Act, 1975 (No. 3)

THIS AGREEMENT made in sextuplicate this
 day of 19

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter called the "City")

OF THE FIRST PART

- and -

(hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS it is intended that this Agreement shall be entered into by the parties hereto in accordance with section 1 of The City of Hamilton Act, 1975 (No. 3), permitting relief in commercial areas from the parking requirements of General Zoning By-law No. 6593 to the extent specified in this Agreement;

AND WHEREAS By-law No. 6593, as amended, requires the provision and maintenance of parking spaces in respect of the building or structure on the land hereinafter referred to, of which the Owner is able to provide and maintain parking spaces;

AND WHEREAS the cost to the City or to the Parking Authority of providing parking facilities is estimated at as set out in schedule "D";

AND WHEREAS the Owner has applied for relief and has requested the City to enter into this Agreement, pursuant to the said Act (1975);

AND WHEREAS the Ontario Municipal Board has approved this Agreement by Order dated the day of 19 , (File Number:).

NOW THEREFORE, in consideration of the City entering into this Agreement with the Owner in accordance with section 1 of The City of Hamilton Act, 1975 (No. 3) for the purpose of providing relief from the parking requirements of By-law No. 6593, (receipt of which benefit is hereby acknowledged by the Owner), the parties hereto mutually covenant and agree as follows:

1. In this Agreement,

- (a) "Act (1975)" means The City of Hamilton Act, 1975 (No. 3), section 1, hereto annexed as schedule "C";

AGREEMENT made this day
of 19

BETWEEN:

THE CORPORATION OF THE CITY
OF HAMILTON

(of the First Part)

- AND -

(of the Second Part)

AGREEMENT

RELIEF FROM PARKING REQUIREMENTS

K. A. Rouff,
City Solicitor,
City Hall,
Hamilton, Ontario.
L8N 3T4

- (b) "buildings or structures" means buildings or structures to be erected, extended, enlarged or the use of which is changed, as the case may be, situate at municipal number _____ in the City of Hamilton;
- (c) "land" means the land more particularly described in schedule "A" and shown on schedule "B";
- (d) "Owner" means the owner of buildings or structures on the land in fee simple or by reason of a mortgage, bankruptcy or other judicial proceeding;
- (e) "Parking Authority" means The Parking Authority of the City of Hamilton.

2. The Owner shall pay the sum of Dollars (\$ _____), of lawful money of Canada, such sum being not less than 50% of the cost of providing off-street parking facilities comprised of _____ parking spaces at the total cost per space as set out in schedule "D".

3. The sum mentioned in paragraph 2 shall be paid to the City by the Owner of the building upon issue of a building permit, (or in ten equal annual instalments including interest thereon at the rate of _____ per annum calculated semi-annually, concurrently with payment of real property taxes commencing in the calendar year during which the building permit is issued, said interest commencing on the date this Agreement is made).

4. Relief from the provisions of By-law No. 6593 requiring the provision of parking spaces on the land shall be deemed to have been provided to the Owner in accordance with the Act (1975), upon payment of the sum of money mentioned in paragraph 2 in lawful money of Canada at the time of the issue of the building permit and registration of this Agreement by the Owner against the land affected or upon registration of this Agreement by the Owner of the land affected where the payment of the monies mentioned in paragraph 2 is by instalments in accordance with paragraph 3, as the case may be.

5. Upon payment being made by the Owner as aforesaid, the City shall retain the whole of the said monies or any part thereof paid by instalment and interest thereon as consideration for entering into, execution and delivery of this Agreement by the City notwithstanding that at any subsequent time, by reason of repeal or amendment, said By-law No. 6593 and/or any other by-law of the City may no longer require the provision and maintenance of such parking facilities and notwithstanding that at any time after the payment of the said sum this Agreement and the relief from parking requirements granted hereunder may have ceased, been determined and come to an end as hereinafter provided.

6. This Agreement and the relief from parking requirements granted hereunder upon payment as aforesaid shall cease, determine and be at an end upon demolition of the building or structure.

7. Unless payment of the monies has been made to the City at the times stipulated in paragraph 3, the City may, at its option, declare this Agreement to be terminated and upon such declaration being made, this Agreement and all the rights and relief provided to the Owner hereunder shall cease and determine.

8. Upon payment of the full amount of the monies mentioned in paragraph 2, the City will and does hereby relieve the Owner, until the said building or structure is demolished, from the requirement that motor vehicle parking facilities shall be provided and maintained in respect of the said building or structure to the extent that the number of parking spaces which the Owner would be required to provide and maintain according to the provisions of By-law No. 6593 or any other by-law of the City shall be reduced by the number and the Owner is exempted to the said extent and no further and for the said period of time and no longer, from the necessity of providing or maintaining such facilities.

9. The relief from parking requirements as granted and limited by paragraph 8 hereof shall extend, subject to the aforesaid provisions for determination, to the benefit of such persons as may from time to time become owners of the said building.

10. The City or the Parking Authority may provide public off-street parking facilities in a commercial area at such time and under such circumstances and may make any such arrangements, as it may consider necessary or expedient.

11. No term or condition in this Agreement shall oblige the City to provide off-street parking facilities in respect of any building or structure for which relief has been provided under this Agreement and no such parking facilities shall be provided except in accordance with paragraph 10.

12. Upon approval by the Ontario Municipal Board, this Agreement and the provisions herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF the parties have hereunto affixed their respective Corporate Seals attested to by the hands of their proper officers in that behalf duly authorized, (or IN WITNESS WHEREOF the party of the second part has duly executed this Agreement).

(Witness)

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

City Clerk

* 1. If Corporation - use Corporate Seal.

2. If individuals - signatures must be witnessed and seals attached. Complete Affidavit of Subscribing Witness.

SCHEDULE "A"

To

Agreement between The City of Hamilton and the Owner

LEGAL DESCRIPTION

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of 5,000 square feet, upon the hereinbefore described land by not later than January 11th, 1987 (AS)
(AS)
Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
 - 2. That the grantee shall complete construction of the said building not later than January 11th, 1988

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
 - 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "G" as referred to in
Item 10 of the Thirteenth
Report for 1986 of the Planning
and Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of ~~3,000~~ 5,000 square feet, upon the hereinbefore described land by not later than **January 14th, 1987**
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the grantee shall complete construction of the said building not later than **January 14th, 1988**
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its TENTH Report for 1986 and respectfully recommends:

1. That permission be granted to the Afro-Canadian Caribbean Association of Hamilton & District to place a model display from 1986 July 7 to August 2 at City Hall in connection with a proposed Centre they are developing.
2. That permission be granted to Tele Care Hamilton to hang a banner on the balcony in front of City Hall from 1986 September 15-21 in connection with their celebration of the more than 15 years of service their organization has provided.
3. That permission be granted to the Hamilton Folk Arts Heritage Council to hang a banner on the City Hall railings from 1986 June 28 to July 1 in connection with "Your Festival."
4. That the Society for Eastern European Nation be granted permission to:
 - (a) Use the forecourt of City Hall on Saturday, 1986 August 23 to hold a public meeting from 10:00 a.m. to 1:00 p.m.
 - (b) Hang a banner from the balcony of City Hall from 1986 August 22-24 indicating "Peace with Freedom."
 - (c) Fly the National Flags of the Captive Nations from 1986 August 22-24.
5. That civic awards be presented to Mr. Brian Elstone, Mr. Dean Brown, who formed a pair oared crew and coach, Brad Langmead, who won the Open Men's Pair at the Canadian Amateur Rowing Association Championships held at Montreal on 1985 August 3-5.

NOTE: Mr. Elstone and Mr. Brown will receive diamond chips and Mr. Langmead a ruby chip in recognition of their second and third championships.
6. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Germania Club of Hamilton to hold a two-day Oktoberfest from 1986 October 3-4 in the Germania Club, 863 King Street East.

7. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Hamilton Portuguese Community to sell beer in front of St. Mary's Church in connection with their Hamilton Portuguese Community Annual Religious Ceremonies from 1986 August 30-31st.
8. That the regular Council Meeting for the month of July be changed from July 29th to July 22nd.
9. That the following resolutions be endorsed:

(a) City of Etobicoke

"WHEREAS Section 160 of The Municipal Act allows a levy of up to \$50. per capacity for Hospital, Colleges, Correctional Centres and Detention Centres, and

WHEREAS this amount was set by Provincial Legislation in 1973; and

WHEREAS the inflation rate since 1973 has totalled 110.5%;

THEREFORE BE IT RESOLVED THAT Council for the City of Etobicoke request the Ministry of Municipal Affairs to substantially increase the Section 160 levy; and

BE IT FURTHER RESOLVED THAT the Clerk request the Association of Municipalities of Ontario and all Municipalities over 50,000 in Ontario to endorse this resolution."

(b) City of Windsor

"M71-86 WHEREAS the Provincial Government, over the past twenty years has deliberately, or otherwise, followed a policy of progressive increases in sales tax collections from Municipal Governments; and

WHEREAS from about 1960 when Provincial retail sales taxes were introduced until 1982 a gradual reduction in the number of items exempt from Provincial sales tax took place and in 1982 the City of Windsor was contributing to the Provincial coffers the sum of \$1,120,000. in such tax; and

WHEREAS in 1982 the Provincial Government amended the Retail Sales Tax Act to remove a long list of additional items from the tax signal equipment, shrubbery and road repair supplies and equipment which thereby increased Windsor's payment of sales tax to the Province to approximately \$2,200,000.; and

WHEREAS the action of the Provincial Government in increasing (in most cases inadequately) resource equalization, general support and per capita grants is simply a process of returning to municipalities a portion of the tax funds drained from such sources; and

WHEREAS the Provincial process of collecting sales tax from municipalities simply shifts the burden of taxation to the real property tax which is an inequitable and overburdened and regressive tax because it impacts so severely on persons of fixed or limited income; and

WHEREAS in addition to the sales tax collected by the Provincial Government from the Municipal Government there is an equal amount of tax collected from Boards of Education and Utilities Commissions thereby doubling the amount of tax collected from local taxpayers;

THEREFORE BE IT RESOLVED that until such time as the senior governments pay full municipal taxes, the present Provincial Government BE REQUESTED to reverse the trend of previous governments to enact amendments to the Retail Sales Tax Act to exempt Municipal Governments, Boards of Education and Utilities Commissions from all Provincial Sales Taxes, and that Cities in Ontario, the Association of Municipalities of Ontario and local members of the Legislature be requested to support this proposal."

(c) City of Regina

WHEREAS The Railway Relocation and Crossing Act (RRCA) is an Act to facilitate railway relocation and promote urban planning goals and objectives of municipalities;

The City of Regina's Phase I Railway Relocation Application has been designated as a demonstration project for the RRCA, and the decisions resulting from this Application will establish the interpretation of the principles of the Act;

The railways have repeatedly attempted to frustrate and delay the processing of Region's Phase I Railway Relocation Application,

BE IT RESOLVED THAT The Corporation of the City of Hamilton supports Regina's Phase I relocation Application made pursuant to the RRCA, insofar as it will establish the following principles of this Act:

- a) A municipality has the right to apply for rail relocation pursuant to the provisions of the RRCA with or without the agreement of the railway;

- b) A municipality has the right to plan for a railway transportation infrastructure which is compatible with its development plans and the aspirations of its citizens; and
- c) A municipality has the right, given that the railways are made whole and do not incur any loss for the fifteen years provided for in the Act, to receive the railway lands released from railway use, as a result of relocation.

(d) Town of Wallaceburg

"THAT the Government of Prime Minister Brian Mulroney amend the Canada Health Act in order to discontinue the withholding of all transfer payments and to pay to the province the full amount of those payments already withheld such that the Provincial Government can bargain with no added financial pressure with the Ontario Medical Association. Further, it is requested that the Provincial Government delay the third reading of Bill 94 as long as possible in an attempt to garner support for this resolution and to receive the response of the Federal Government; and

THAT the Ontario Medical Association must agree not to strike or withdraw services until a response to the above is obtained. It is the opinion of this municipality that a negotiated settlement will be good for the Province, the Medical Professionals, but, most importantly the citizens and taxpayers of Wallaceburg along with every other community in Ontario."

10. That City Council endorse the principles enunciated in the following resolution from the City of Toronto concerning South African Goods and Investments and that the Treasurer be authorized and directed to prepare a report as to how these principles relate to specific applications in respect of the existing policy of the City of Hamilton.

"WHEREAS many Metropolitan Toronto residents and employees are concerned that their taxes and efforts are being used to support the apartheid policy of the the government of South Africa;

AND WHEREAS Toronto City Council voted unanimously to adopt a series of measures designed to withhold support and recognition of that policy;

AND WHEREAS some of these measures concern the purchase of materials and employees' pensions, for both of which there is much in common between Metropolitan Toronto and the City of Toronto;

THEREFORE BE IT RESOLVED THAT Metropolitan Council take the following actions with respect to the apartheid policy of the government of South Africa:

- a) That the trustees of the Municipality of Metropolitan Toronto Pension Plans be advised that Metropolitan Council would view with favour their adopting a policy of not investing in bonds of the South African government, or in companies that have investments in South Africa, or in companies that do business with South Africa.
- b) That it be the policy of Metropolitan Council that Metropolitan Toronto and its agencies purchase no finished goods, food and beverages of South African origin, and that employee groups be advised of this policy.
- c) That it be the policy of Metropolitan Council to endorse and encourage the actions of those businesses and firms in South Africa which sustain and financially support the actions of those South African residents who seek to challenge the rules of apartheid in South Africa; and
- d) That the Area Municipalities be requested to adopt similar policies and urge other large municipalities across Canada to take similar action;

AND FURTHER, that the Minister of External Affairs be informed of Metropolitan Council's action in this respect."

- 11. That Hamilton City Council endorse the objections of the Canada Steamship Lines Inc. and the Great Lakes Waterways Development Association with respect to referral of Bill C-75, An Act to Amend The Canada Shipping Act, Arctic Waters Pollution Prevention Act, The Maritime Code Act and The Oil and Gas Production and Conservation Act.

NOTE: The Great Lakes Waterways Development Association submitted a brief to the Legislative Committee on 1986 January 30 outlining their objections to Clause 4 of Bill C-75. Bill C-75 is an omnibus bill that amends the Canada Shipping Act. Clause 4 of the Bill gives the Canadian Coast Guard the ability to charge for its services.

This will fundamentally alter the historic relationship between the Coast Guard and Canada's Maritime community with potentially disastrous effects on the Great Lakes - St. Lawrence Seaway for such diverse interests as the iron ore miners on the North Shore of Quebec to the wheat farmers in Saskatchewan.

12. That Hamilton City Council endorse the request of Transport 2000 Ontario that the subject matter of Bill C-97, The National Rail Transportation Act, be examined and reviewed by the House of Commons Standing Committee on Transport in order to permit public input.

NOTE: Bill C-97 requires the termination of passenger train services that do not meet cost recovery targets set for specific services. While Transport 2000 welcomes The National Rail Passenger Transportation Act (Bill C-97) introduced 1986 February 24, in Parliament, the Act has some major problem areas and can have a potentially extremely negative impact on passenger train services in this area.

13. (a) That approval be given to an expense allowance for mileage travellings by Aldermen during the normal course of their duties commencing 1987 January 1.
- (b) That the Chief Administrative Officer be authorized and directed to prepare a report outlining the recommended procedure or payment and an amendment to the expense allowance By-law No. 79-300.

NOTE: For the information of the members of City Council, the above recommendation was lost on a 4-4 tie vote and in accordance with Council's policy, is being forwarded at this time for Council's consideration.

15. That approval be given to the appointment of Alderman R. Wheeler to the Hamilton Gallery of Distinction.
16. That the Corporation of the City of Hamilton consent to the application of the Hamilton Mountain Legal and Community Services for its incorporation as a Corporation Without Share Capital and to be named Hamilton Mountain Legal & Community Services Inc.
17. That a maximum of seven (7) members of City Council be authorized to attend the 1986 Annual Conference of the Association of Municipalities of Ontario to be held in the City of Toronto from 1986 August 24-27.

18. That the following tax adjustments as recommended by the Tax Appeals Review Committee at its meeting held 1986 June 11 be approved:

Appeal	Amount (1)	(2)	(3)	(4)
Schedule "A" Compassionate	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	Tax Review Committee <u>June 11/86</u>	Total Year-to-Date <u>1986</u>
	\$16,190.00	\$ 3,000.00	Nil	\$3,000.00
Schedule "B" Business	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	(2) Tax Review Committee <u>June 11/86</u>	(3) (4) Total Year-to-Date <u>1986</u>
	\$2,063,504.19	\$596,728.70	\$519,137.65	\$1,115,866.35
Schedule "C" Realty	Prior Year <u>1985</u>	Year-to-Date <u>1986</u>	(2) Tax Review Committee <u>June 11/86</u>	(3) (4) Total Year-to-Date <u>1986</u>
	\$262,474.83	\$243,179.97	\$19,995.92	\$263,175.89

19. That the Organizing Sub-Committee for the Hamilton, Scotland/Hamilton, Canada Commemorative and Contemporary Exhibitions and Queen's Message Relay during the 1986 Commonwealth Games, in Edinburgh, Scotland be renamed the 1994 Commonwealth Games Committee and that the membership of said Committee be expanded.
20. That approval be given to an expenditure in the amount of \$700. to defray the expenses of Alderman Wm. McCulloch who will be assisting the delegation from Hamilton in Edinburgh, Scotland in its bid for the 1994 Commonwealth Games and that this expenditure be charged to the Legislative Travelling Account No. 0321-0191.

21. That leave be granted to introduce the following bills:

- (a) Bill E-11 By-law to Amend By-law No. 86-164 Respecting Date of Municipal Emergency Plan.
- (b) Bill E-12 By-law No. 86- to Amend Procedural By-law No. 82-203 Respecting The Acting Mayor.

Respectfully submitted,

ALDERMAN V. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Mr. J. D. Thompson
Acting Secretary
1986 June 16

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its NINTH Report for 1986 and respectfully recommends:

1. Approval of the reclassification of the following positions:

(a) Department of Culture and Recreation

- i) Part-time Red Cross Instructors, \$5.98, \$6.22, \$6.47 per hour effective January 1, 1986.
- ii) Swimming Pool Safety Assistants, \$4.50 per hour effective June 15, 1986.

(b) Traffic Department

By-law Administrator, Salary Schedule 114, \$28 283.84 to \$33 730.32 per annum to Salary Schedule 115, \$30 408.56 to \$36 265.32 per annum effective May 8, 1986 and that the job title "By-law Administrator" be amended to read "Legislative Administrator" in order to more accurately reflect the duties performed.

(c) City Solicitor's Department

Legislation Counsel, Salary Schedule 122, \$51 350.00 to \$63 466.52 per annum to Senior Legal Advisor, Salary Schedule "B" (Department Heads and Deputies), \$63 155.56 to \$78 513.24.

2. Approval of the establishment of the following positions:

(a) Department of Public Works

Secretary "A", Salary Schedule 111, \$23 028.20 to \$27 145.04 per annum.

That the position of Office Manager, Salary Schedule 115, \$30 408.56 to \$36 265.32 per annum be deleted from the staff quota of the Public Works Department.

(b) City Clerk's Department (Mayor's Office)

Stenographer "D", Salary Schedule 105, \$15 521.48 to \$18 293.60 per annum.

(c) Human Resources Centre

Labour Relations Officer, Salary Schedule 118, \$38 750.92 to \$46 208.24 per annum.

That the above positions be posted and filled.

3. That the City adopt a policy, effective January 1, 1986, providing for the optional transfer of all service credits from an area municipality or the Region to the City with the appropriate financial adjustments between the municipalities when such employee is the successful applicant for a position with the City and that where a new employee chooses to "cash-out" any benefits, that this shall nullify the transfer of any credits to the City.
4. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to June 9, 1986 as set out on the list attached hereto as Schedule "A".
5. (a) Approval in principle of the need for a by-law requiring the installation and maintenance of at least one smoke alarm in all one and two family dwellings.

(b) That the Fire Department and Legal Department staff be directed to prepare a by-law including the following:
 - i) Smoke alarms would become mandatory in every one and two family dwellings in the City of Hamilton, effective July 1, 1987.
 - ii) A maximum fine of \$100.00.
 - iii) There would be no enforcement per se but on the sale of properties, provisions shall be made to comply with the subject by-law before the transaction could close.
 - iv) Hamilton Firefighters conducting their annual home inspection campaign would not enforce the by-law. However, they would leave with the homeowner a notice requesting their compliance with the new smoke alarm by-law.
 - v) That the onus for installation of a smoke alarm rests with the owner while the onus for maintenance of the smoke alarm, rests with the occupant.

For the information of the Members of City Council, this by-law will be considered by the Personnel Committee and City Council in September, 1986 with implementation to take effect July 1, 1987.

6. That the following resolution dealing with revisions to the Ontario Fire Code be approved.

WHEREAS the Ontario Fire Service has long recognized that properly maintained smoke alarms save lives.

AND WHEREAS the Ontario Fire Code, Ontario Regulation 730/81, was passed into law November 1981.

AND WHEREAS two (2) Sections of Retrofit Part 9 of the Fire Code were subsequently passed into law in 1983.

AND WHEREAS on June 30, 1982 The Honourable John B. Webber, Judge of the County Court of the County of Dufferin, was appointed to conduct an inquiry into fire safety in highrise buildings. In December 1983, Judge Webber concluded the inquiry and filed his report containing 128 recommendations to improve fire safety in highrise buildings.

AND WHEREAS simultaneous to the Webber Inquiry, task groups were formed by the Office of the Ontario Fire Marshal to develop retrofit regulations in specific categories of buildings including residential buildings up to and including six (6) stories in building height and containing more than two (2) dwelling units and also for the aforementioned highrise buildings.

AND WHEREAS the legislation is proposed to contain requirements for building owners to install and maintain smoke alarms to all dwelling units. The remaining portions of Part 9 Retrofit have not been passed into law by the Provincial Legislature.

THEREFORE BE IT RESOLVED THAT Hamilton City council petition the Government of Ontario to expedite the passage into law revisions to Part 9 Retrofit of the Ontario Fire Code with respect to low and highrise residential buildings regarding smoke alarms in other than one and two family dwelling units. And further, that the aforementioned resolution be circulated to all municipalities in Ontario requesting concurrence and to so advise the Government of Ontario.

Respectfully Submitted,

ALDERMAN M. KISS, CHAIRMAN
PERSONNEL COMMITTEE

K.E. Avery, Acting Secretary
Personnel Committee
1986 June 18
/dg

"Schedule 'A'"

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Leonard Agro	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Mr. James Allen	Garbage Truck Driver	Public Works	additional staff as approved	D-9	\$11.402 per hour	May 12/86
Mr. Edgardo Andaya	Garbage Truck Driver	Public Works	replacing John Ashurst - deceased	D-9	\$11.402 per hour	May 26/86
Mrs. Barbara Bazinet	Ast. Supervisor of Pensions	Treasury	new position as approved	113	\$30,149.08 per annum	May 26/86
Mr. Giovanni Capostagno	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Miss MaryAnn de Gooyer	Stenographer IV	Parks Division of Public Works	replacing Susan Biasutti - promoted	E-2	\$312.39 per week	May 26/86
Mr. Jose DeTorres	Concrete Finisher (Districts)	Public Works	replacing Ottavio Fiorino - transferred	D-8	\$11.144 per hour (prob. rate)	May 20/86
Mr. Donald DiMascio	Traffic Service Foreman	Traffic	replacing Gordon McClelland - retired	13A	\$26,659.88 per annum	May 12/86

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Ronald Doucet	Counter Clerk	Building	additional staff as approved	A-3	\$362.80 per week	May 12/86
Mr. T. Eramo	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Mr. Salvatore Farrauto	Sales Account Exec.	H.E.C.F.I.	new position as approved	106C	\$22,205.04 per annum	May 26/86
Mr. Ottavio Fiorino	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Mr. Pasquale Frensa	Concrete Finisher (Districts)	Public Works	replacing Francesco Spadafora - transferred	D-8	\$11.344 per hour	May 19/86
Mr. John Laurie	Garbage Truck Driver	Public Works	replacing Brian Vance - transferred	D-9	\$11.402 per hour	May 19/86
Mr. Diego Macaluso	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Miss Gail McCaffrey	Secretary to Director of Marketing	H.E.C.F.I.	new position as approved	111	\$22,089.60 per annum	May 12/86

Prepared June 9, 1986

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Ermando Novelli	Concrete Finisher (Districts)	Public Works	replacing Tonio Eramo - transferred	D-8	\$11.144 per hour (prob. rate)	May 20/86
Mr. Gary Oxley	Garbage Truck Driver	Public Works	additional staff as approved	D-9	\$11.402 per hour	May 12/86
Mr. Sabatino Ragonetti	Concrete Finisher (Districts)	Public Works	replacing Giovanni Capostagno - transferred	D-8	\$11.144 per hour (prob. rate)	May 20/86
Mr. Jeremias Silva	Hydraulic Back hoe Operator	Public Works	additional staff as approved	D-11	\$11.386 per hour (prob. rate)	May 12/86
Mr. Francesco Spadafora	Labourer	Public Works	correcting records	D-5	\$11.161 per hour	May 5/86
Mr. Robert Taylor	Garbage Truck Driver	Public Works	additional staff as approved	D-9	\$11.402 per hour	May 12/86
Mr. John Thomas	Building Inspector	Building	replacing Clifford Booth - retired	A-12	\$541.15 per week	May 19/86
Mr. Edward Torres	Concrete Finisher (Districts)	Public Works	replacing Leonard Agro - transferred	D-8	\$11.144 per hour (prob. rate)	May 20/86

Prepared June 9, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Brian Vance	Garbage Truck Driver	Public Works	additional staff as approved	D-9	\$11.402 per hour	May 12/86
Mr. Carmelo Vella	Concrete Finisher (Districts)	Public Works	replacing Diego Macaluso - transferred	D-8	\$11.144 per hour (prob. rate)	May 20/86

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Laurie Chasse	Programmer II	Treasury	resigned	5 years & 11 months	May 30/86
Mr. Domenico Chiota	Concrete Finisher	Public Works	retired	21 years & 1 month	May 30/86
Mr. Edward Gill	Traffic Planning Eng.	Traffic	resigned	5 years & 9 months	May 20/86
Mr. Roy Greening	Motor Mechanic	Central Garage Div. of Public Works	retired	5 years & 9 months	June 2/86
Mr. Barry Harris	Firefighter I	Fire	retired	28 years & 8 months	Apr. 30/86
Mrs. Teresa Kellner	Tax Arrears, Appeals & Local Improv. Officer	Treasury	resigned	2 years & 3 months	May 30/86
Mr. Robert Thornevell	Firefighter I	Fire	resigned	16 years & 10 months	May 15/86
Mr. Richard Turkstra	Comptroller	H.E.C.F.I.	resigned	7 years & 11 months	May 23/86

Prepared June 9, 1986

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Bill Ferguson	Traffic Planning Eng. (temporary)	Traffic	replacing Ted Gill - resigned	118	\$38,750.92 per annum	May 21/86
Mr. James Finlay	Counter Clerk (temporary)	Building	seasonal staff (vacation relief)	A-3	\$362.80 per week	Apr. 21/86
NOTE - This appointment was previously reported as a permanent appointment - Is actually a Temporary Appointment re Vacation Relief						
Mr. Lawrence Torresin	Foreman II (Cleaning Operations) (temporary)	Public Works	replacing George Nikolica - transferred	12C	\$26,662.48 per annum	May 19/86

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. D. Celap	Journeyman Carpenter	Prop. Mtce. Div. of Real Estate	laid off	1 month	May 16/86
Mr. Hilry Neale	Sales Representative	Convention Centre	resigned	8 months	May 9/86

- (b) That this general grant for Abbacus Colour Guard be placed in Category (4) One-time Only on the understanding that all grants and grant categories be reviewed in greater detail during 1986.
- (c) That the above increased grant amount of \$500 be funded from the Unallocated Grant Funds account 0374-0601.

NOTE: With respect to items 1, 2, 3, 4 and 5 above, in accordance with the grant guidelines, the applicants will be allowed an appeal of this decision, if they so desire.

- 6. (a) That a grant in the amount of \$12 208.95 be approved for the Hamilton Yacht Club; and
- (b) That this amount be set aside in the allocated portion of the Contingency Account 0378-11XX.
- 7. That an order to Burl-Oak Lighting & Sign, Kilbride, Ontario, for lighting service and maintenance, various civic buildings, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

For the period June 1, 1986 to November 30, 1988 - \$1 459.16 per month

This agreement shall terminate on November 30, 1988, with an option in favour of the City to renew the contract for two additional one year terms at the rates specified in the Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided for in various accounts.

- 8. (a) That the claims of Brenda, Allan and Zachary Smith be settled in the amount of \$9 476.54 inclusive of interest and costs.

NOTE: By Writ of Summons issued 1984 March 5, and Statement of Claim issued 1986 February 4, Brenda, Allan and Zachary Smith brought action against the City and Mr. Santilli an employee in the Public Works Department, claiming damages of \$100 000 plus interest and costs.

The claims arose out of injuries suffered by Mrs. Smith in a motor vehicle accident that occurred on 1984 February 6, at Barton Street and Kenora Avenue. Mrs. Smith was pregnant with Zachary at the time and suffered injuries to her neck, back, shoulders and legs. Mrs. Smith was operating a motor vehicle owned by her husband, Allan Smith, when she was rear-ended by Mr. Santilli in a City garbage Truck and pushed into the rear of a motor vehicle owned and operated by Wallace Thane Townsend.

City Council at its meeting 1986 February 11, approved the settlement of Mr. Townsend's claims in the amount of \$28 580.16 inclusive of interest and costs.

- (b) That the claims of Francesco Schiavulli and the City related to Francesco Schiavulli against Mark A. Nicholson and Martin J. Langlois be settled in the amount of \$3 875 inclusive of interest and costs.

NOTE: On 1984 May 31, Mr. Schiavulli, a City employee, was operating a City vehicle on King Street East when it was struck by a motor vehicle owned by Mr. Langlois and operated by Mr. Nicholson.

Mr. Schiavulli suffered a strain to his neck. After deduction of the City's expenses there will remain a surplus of \$3 500. In accordance with the provisions of Section 8(4) of The Worker's Compensation Act, R.S.O., 1980, Chapter 539 and the application by Mr. Schiavulli, it is recommended that payment of the surplus be made to Mr. Schiavulli. Said surplus remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which Mr. Schiavulli may become entitled to from the worker's Compensation Board with respect to this accident.

- (c) That the claims of Brian Allick, Larry Harvey, John Gamble and the City against Elizabeth Noseworthy be settled in the total amount of \$5 800 inclusive of interest and costs, which amount is to be paid to the City.

NOTE: On 1985 January 15, the above City employees were injured in a vehicle accident when a City vehicle in which they were riding was struck by a motor vehicle owned and operated by Elizabeth Noseworthy. After deduction of the City's expenses there will remain a surplus of \$5 000. In accordance with the provisions of Section 8(4) of The Worker's Compensation Act, R.S.O. 1980, Chapter 539 and the applications by the aforesaid employees, it is recommended that payment of the surplus be made in the amount of \$750 to Brian Allick, \$750 to Larry Harvey and \$3 500 to John Gamble. Said surplus remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which these employees may become entitled to from the Worker's Compensation Board with respect to this accident.

- (d) That the claims of Elizabeth Ann Sutherland be settled in the amount of \$5 100 inclusive of interest and costs and O.H.I.P.'s claim of \$127.92 (1/2 of their charges of \$255.84) with the City contributing \$1 700 the Region and Dufferin Construction Company contributing \$1 700 and Corham Developments Limited contributing \$1 700.

NOTE: On 1984 October 5, Mrs. Sutherland was walking on the sidewalk on King Street East adjacent to Park Place when she fell due to the condition of the brick pavers. She suffered injury to her face and left knee and broke her glasses. She claimed damages totalling \$25 000 as well as interest and costs.

- (e) That the claims of Antonio and Santa Burgio be settled in the amount of \$5 325 inclusive of interest and costs and the claim of O.H.I.P. herein be settled in the amount of \$799.70 inclusive of interest and costs for a total settlement of \$6 124.70 inclusive of interest and costs.

NOTE: On 1985 October 22, Mr. Burgio was on foot crossing Barton Street East at its intersection with Victoria Street North in the westerly crosswalk when he was hit by a City truck operated by Peter J. Vellenga, a City employee with the Public Works Department. Mr. Burgio suffered injury to his head, neck, back, left arm, side, hip and knee and claimed damages totalling \$45 000 as well as interest and costs.

- (f) That the claim of Elizabeth Dale Taunton arising out of her fall on a City sidewalk on 1985 July 4, on the west side of Barnesdale Avenue South approximately in front of 86 Barnesdale Avenue South, be settled in the amount of \$2 700 inclusive of interest and costs.

NOTE: Mrs. Taunton commenced action against the City by Statement of Claim issued 1985 September 26. She suffered injury to her right ankle and claimed damages totalling \$30 000. The sidewalk was in deteriorated condition and even though the condition was known to the City and temporarily repaired on 1984 September 4, the area deteriorated again before repairs were made.

Mrs. Taunton has cataracts which restrict her vision and is a legally blind person and, therefore, would not be assessed any contributory negligence in this matter.

- (g) That the claims of Caterina and Frank Martire be settled in the amount of \$3 845 inclusive of interest and costs.

NOTE: Caterina and Frank Martire commenced action against the City on 1985 August 1, for damages suffered by Caterina Martire when she fell on a City sidewalk on 1985 June 4, on the north side of Star Street in the City of Hamilton. She injured her neck, right shoulder, forearm, wrist, palm, . thigh and knees and claimed \$45 000 plus interest and costs.

Included in the \$3 845 proposed settlement is a payment to O.H.I.P. of \$250 in satisfaction of their claim of \$624.50.

9. That the interim account of Weir & Foulds, Barristers & Solicitors, dated 1986 May 5, in the amount of \$10 006.21, for services rendered to 1986 March 31 in connection with the Judicial Review Application - S.C.O. Edward Allen vs The City of Hamilton, 81 Francis Street, be approved for payment and paid.
10. (a) That the Treasurer be authorized to provide interest to the remaining reserve accounts as of 1986 July 1:

- i. Contingency Account No. 0280-32.
- ii. Debt Charges, Account No. 0280-19
- iii. Historic Fire Engine, Account No. 0280-42
- iv. Realty Taxes Beach Strip Properties Account No. 0280-38
- v. Worker's Compensation Account No. 0280-37
- vi. Working Fund, Inventories, Reduction of Taxation and Prepaid Expenses, Account No. 0282

(b) That the Treasurer be authorized to calculate interest annually on the unspent balances of work-in-progress (capital fund) accounts and that the accumulated interest be transferred to the Reserve for Capital Project - General Account No. 0280-27 to finance future capital projects.

(c) That the Treasurer be authorized to transfer and close the balance of the Reserve for General Concrete, Account No. 0280-47 in the amount of \$2 908 to the Reserve for Contingency Account No. 0280-47 in the amount of \$2 908 to the Reserve for Contingency Account No. 0280-32 and any claim arising in future in relation to this reserve would be paid out of the Reserve for Contingency Account No. 0280-32

11. That the additional amount of \$40 000 required for the control of dandelions in parks be financed from within the overall approved 1986 Public Works Department estimates, Parks Division, and overdraft the Parks Dandelion Control account.

NOTE: Reference to this item is made in section 10 of the Sixteenth Report of the Parks and Recreation Committee.

12. That an amount of \$11 500 required for provision of a two lane bocci court, including fencing and lighting, at the Mountain Arena, be financed from within the overall approved 1986 Public Works Department estimates.

NOTE: Reference to this item is made in section 21 of the Sixteenth Report of the Parks and Recreation Committee.

13. That leave be granted to introduce the following bill:

Bill G-23 - By-law to Authorize the Undertaking of Gore Park Related Improvements to the Downtown Action Plan Phase III-B.

Respectfully submitted,

ALDERMAN P. O. VALERIANO
CHAIRMAN, FINANCE COMMITTEE

R. C. Prowse
Secretary

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its SECOND Report for 1986 and respectfully recommends:

That Building Repairs Contractor licence application of Ronald Lehman be denied.

For the information of Members of City Council:

On Thursday, April 10, 1986, the City of Hamilton Licensing Committee held a show cause hearing into the licence application of Ronald Lehman. Mr. Lehman failed to appear before the Committee, although he was advised that he could attend with or without legal counsel.

Information was given by the City of Hamilton Building Department which proved that the quality of Mr. Lehman's work was not consistent with good engineering practices. The work he did at various addresses did not meet the standards required of a Building Repair Contractor and issuing the licence would be contrary to the public interest.

Further information may be obtained by contacting Mr. S. J. Dembe, Licence Administrator.

Respectfully submitted,

ALDERMAN P. VALERIANO
CHAIRMAN

S. J. Dembe, Secretary
June 24, 1986

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his SECOND Report for 1986 and respectfully recommends:

1. That a survey of civic government employees be conducted by the Human Resources Centre to determine the representation and occupational distribution of visible minorities employed by the City of Hamilton.
2. That Statistics Canada be requested to undertake and publish a detailed profile of the labour force by racial and ethnic characteristics for the Region of Hamilton-Wentworth based on the 1986 Census.

Respectfully submitted,

Robert M. Morrow
Mayor

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A31.

Bill No. A-14

BY-LAW NO. 86-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF JUNE A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of June A.D. 1986

CITY CLERK

MAYOR

HAMILTON
GOVERNMENT DOCUMENTS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

To Authorize:

1. The construction of local improvements on a concrete alley first East of Locke St., running from Charlton Ave. to Alexander St., as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton, did adopt Item 61 of the 1st Report of the Transport and Environment Committee and Item 4 of the 1st Report of the Finance Committee, both adopted by City Council on December 10, 1985;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 26th day of March, 1986, issue Order No. E 860043, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of first East of Locke St., running from Charlton Ave. to Alexander St.; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$16,100.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$16,100.00.
2. The share or portion of the estimated cost of the works in the amount of \$3,268.38 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated, shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$16,100.00; and,
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 24th day of June, A.D. 1986.

City Clerk

Mayor

(1985) 1 R.T.E.C. 61, December 10

(1985) 1 R.F.C. 4, December 10

SCHEDULE "A"

The Construction of a CONCRETE ALLEY, first East of Locke Street,
running from Charlton Avenue to Alexander Street, at the costs
not exceeding those set out below:

City's Share	\$12,831.62
Owners' Share	<u>3,268.38</u>
Total Estimated Cost	<u><u>\$16,100.00</u></u>

Estimated Cost per metre frontage \$47.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

To Authorize:

1. The construction of local improvements on a concrete alley in the block bounded by Britannia and Paling Avenues, as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton, did adopt Item 30 of the 16th Report of the Transport and Environment Committee and Item 5 of the 16th Report of the Finance Committee, both on the 24th day of September, 1985;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 26th day of March, 1985, issue Order No. E 860042, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of in the block bounded by Britannia and Paling Avenues; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$52,200.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$52,200.00.
2. The share or portion of the estimated cost of the works in the amount of \$23,462.40 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated, shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$52,200.00; and,
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 24th day of June, A.D. 1986.

City Clerk

Mayor

(1985) 16 R.T.E.C. 30, September 24

(1985) 16 R.F.C. 5, September 24

SCHEDULE "A"

The Construction of a CONCRETE ALLEY, in the block bounded by
Britannia and Paling Avenues, South limit of the Water Works
Pipeline and Strathearne Avenue, at the costs not exceeding those
set out below:

City's Share	\$28,737.60
Owners' Share	<u>23,462.40</u>
Total Estimated Cost	<u><u>\$52,200.00</u></u>

Estimated Cost per metre frontage \$47.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

To Authorize:

1. The construction of local improvements on a concrete alley (1) first South of Bristol St., (2) in the block bounded by Cedar Ave. etc., (3) first North of Primrose Ave., as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton, did adopt Item 18 of the 1st Report of the Transport and Environment Committee and Items 1, 2 and 3 of the 1st Report of the Finance Committee, both adopted by City Council on December 10, 1985;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 26th day of March, 1986, issue Order No. E 860041, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of (1) first South of Bristol St., (2) in the block bounded by Cedar Ave., etc., (3) first North of Primrose Ave.; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$64,710.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$64,710.00.
2. The share or portion of the estimated cost of the works in the amount of \$19,011.50 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated, shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$64,710.00; and, .
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 24th day of June, A.D. 1986.

City Clerk

Mayor

(1985) 1 R.T.E.C. 18, December 10

(1985) 1 R.F.C. 1, 2 & 3, December 10

SCHEDULE "A"

The Construction of CONCRETE ALLEYS:

1. First South of Bristol Street, running from Sanford Avenue to Minto Avenue;
2. First North of Primrose Avenue, running from Gage Avenue to Avondale Avenue; and
3. In the block bounded by Cedar Avenue, Afton Avenue, Prospect Street and Cumberland Avenue;

at the costs not exceeding those set out below:

City's Share	\$45,698.50
Owners' Share	<u>19,011.50</u>
Total Estimated Cost	<u><u>\$64,710.00</u></u>

Estimated Cost per metre frontage \$47.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE PARTS 1, 2, 3 AND 4,
PLAN 62R-3175, PART 1, PLAN 62R-8131
AND PART 1, PLAN 62R-7840 INTO THE
ROAD ALLOWANCE OF LIMERIDGE ROAD EAST

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to widen
a portion of the highway known as Limeridge Road East
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Limeridge Road East.
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this 24th day of June, A.D. 1986.

City Clerk

Mayor

(1986) 7 R.T.E.C. 9, March 11

SCHEDULE "A"

Part of Lot 8, Concession 7
geographic Township of Barton
being designated as Parts 1, 2, 3 and 4, Plan 62R-3175,
Part 1, Plan 62R-8131 and Part 1, Plan 62R-7840
City of Hamilton
Regional Municipality of Hamilton-Wentworth
Registry Division of Wentworth (No. 62)

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO INCORPORATE BLOCK 38, PLAN 62M-425
INTO THE ROAD ALLOWANCE OF SIRENTE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Sirente Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Sirente Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of June, A.D. 1986.

City Clerk

Mayor

[1986] 10 R.T.E.C. 25, April 29

SCHEDULE "A"

Parcel 1' Reserves-1, Section 62M-425

All of Block 38, Plan 62M-425

Shown in heavy outline on Plan No. RA-H-332 Surveys

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

SKETCH TO ILLUSTRATE DESCRIPTION OF
ALL OF BLOCK '38' - 0.30 RESERVE
AQUILA PHASE (PHASE 1) - PLAN 62M - 425
IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE 1:500

M.A. CHIDLEY - O.L.S.

1986



METRIC

DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING
BY 0.3048

THIS IS NOT A PLAN OF SURVEY D. REG. 564/80 S. 21 PART

BEARINGS HEREON ARE ASTRONOMIC AND
ARE REFERRED TO THE NORTHERN LIMIT
OF SIRENTE DRIVE ON A COURSE OF
N 71° 44' W AS SHOWN ON PLAN 62M-425

SIRENTE

DRIVE

BLOCK '38' (0.30 RESERVE)

BLOCK '39' (0.30 RESERVE)

PLAN

62M - 447

PLAN

LATORRE COURT

62M - 425

CRERAR DRIVE

SURVEYOR'S CERTIFICATE

CERTIFY THAT:

THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE
REGULATIONS MADE THEREUNDER.

THE SURVEY WAS COMPLETED ON THE 16 DAY OF APRIL

1986

April 16, 1986

M.A. Chidley

APPROVED

M.A. Chidley

REGIONAL SURVEYOR

PLAN NO. RA-H-3

SURVEYS

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
DEPARTMENT OF ENGINEERING

DATE OF COMP. FILED BY DATE OF REG. DATE OF REG. DATE OF REG.

APRIL 1986
CHECKED BY M.S.

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Section 40 Subsection (b) (Stopping Prohibitions) of By-law 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby deleted in its entirety and the following substituted therefore;

- "(b) upon a bridge;
- (bb) within one hundred feet of either end of a bridge provided suitable signs are erected and maintained;
- (bc) in a subway or within one hundred feet of either end thereof";

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 11 R.T.E.C. 72, June 24

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Cranbrook	Northbound and Southbound	Greendale
Cochrane	Northbound and Southbound	Central
Central	Eastbound and Westbound	Edgemont
Aurora	Northbound	Forest
Purdy	Westbound	Greeningdon
Clifton Downs	Northbound and Southbound	Hadeland
Fife	Westbound	Chestnut
Deerborn	Northbound and Southbound	Jasmine".

and by deleting therefrom the following item, namely:-

"Deerborn	Northbound and Southbound	Thorner"
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2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Hester	North	commencing at a point 186 feet west of Ronaldshay to a point 183 feet westerly therefrom".
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PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 11 R.T.E.C. 72, June 24

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting from the Stoney Creek Saltfleet Community Extension Table the following items, namely:-

"Limeridge opposite Elgar
Limeridge opposite Kendale".

and by adding thereto the following item, namely:-

"Limeridge at No. 345 Limeridge Road West (MB)".

2. Schedule 25 (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Lansdowne South Sherman to a point 132 feet west

and by adding thereto the following item, namely:-

"Lansdowne South Sherman to Lottridge".

3. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 8 (Two Hour Limit) the following item, namely:-

"East 23rd Both Concession to Crockett".

and by deleting therefrom the following item, namely:-

"St. Joseph's Dr. South From easterly end to 170 ft.
westerly".

4. Schedule 25B (Parking Time Limits) is hereby amended by adding thereto the following sub-section, namely:-

"5. 30 Minute Limit, between the hours of 9 o'clock in the forenoon and 10 o'clock in the afternoon, on the following streets and parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Melvin	North	Tolton to 46 feet east".

5. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"St. Joseph's Dr.	South	James to 207 ft. west of easterly end
Rennie	South	494 feet east of Parkdale to a point 320 feet easterly therefrom
Britannia	North	Kenilworth to Strathearne
Lansdowne	South	From 132 feet east of Sherman to Lottridge
King	North	commencing at a point 148 feet west of Paisley to a point 31 feet westerly therefrom".

and by adding thereto the following items, namely:-

" St. Joseph's	South	James to easterly end
Locke	East	commencing at a point 25 feet south of Canada to a point 22 feet southerly therefrom
Rennie	South	from 362 feet east of Parkdale to a point 452 feet easterly therefrom
Britannia	North	from 100 feet west of Cannon to Strathearne
Harmony	East	Vansitmart to Merchison
Adeline	East	Main to Dunsmure
Afton	South	Lorne to Norway
East 26th	West	Concession to 120 feet south
Lansdowne	South	From 132 feet east of Sherman to a point 252 feet easterly therefrom
David	East	South Bend to 90 feet south
Olmstead	North	Macklin to 48 feet west".

6. Schedule 26A (No Parking Areas) is hereby amended by adding thereto the following section, namely:-

"K.	<u>NO PARKING 8:00 A.M. - 5:00 P.M.</u>	
<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Beach	North	Dapew to 46 feet west

7. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following items, namely:-

" Adeline Avenue	West	East
Main Street to Britannia Avenue		
Afton Avenue	South	North
Norway Avenue to Easterly End		
Harmony Avenue	East	West".
Vansitmart Avenue to Dunbar Avenue		

and by adding thereto the following items, namely:-

" Adeline	West	East
Dunsmure to Britannia		
Afton	South	North
Lorne to Easterly End		
East 11th	East	West
Brucedale to Queensdale		
Harmony	East	West
Merchison to Dunbar		

8. Schedule 30 (Commercial Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"Vine	North	34 ft.	54 ft. east of Mac Nab	Anytime".
-------	-------	--------	------------------------	-----------

9. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Margaret	Both	Main to King
Britannia	South	Garside to Cameron".

PASSED this

day of

, A.D. 1986.

City Clerk

Mayor

1986 11 R.T.E.C. 72, June 24

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE NORTH SIDE OF STONE CHURCH ROAD WEST,
IN THE AREA WEST OF UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, the land comprised in Block 1; and

(b) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

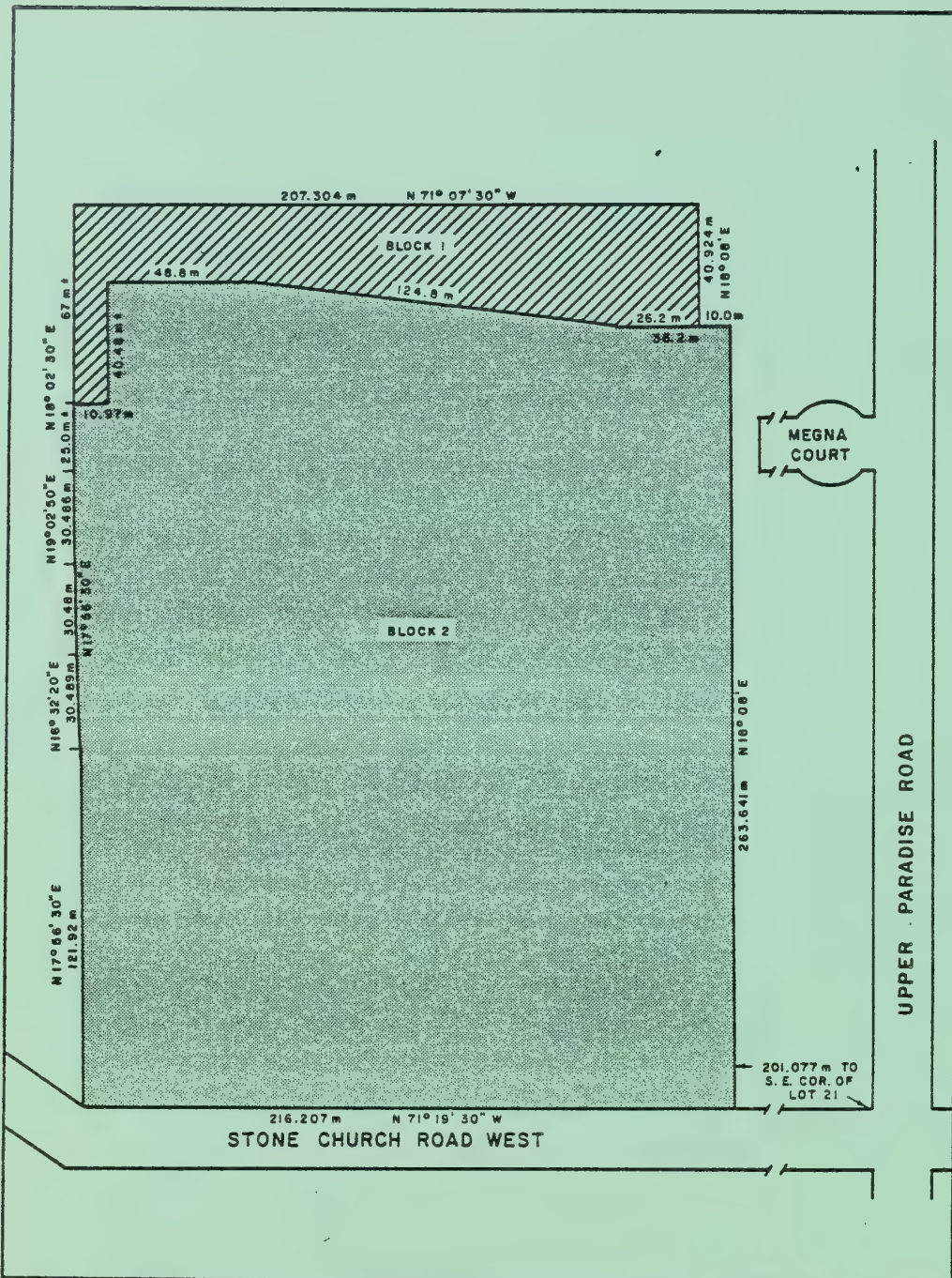
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 10 R.P.D.C. 6(B), May 13
Novoco Enterprises Limited, Owner
ZA-86-08






THIS IS SCHEDULE "A" TO BY-LAW NO. 86 -
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY - LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend		
CHANGE IN ZONING FROM "AA" (AGRI-CULTURAL) DISTRICT TO:		
 BLOCK 1	"A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT	
 BLOCK 2	"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT	
North 	Scale NOT TO SCALE	Reference File No. ZA - 86 - 08
	Date 86 - 05 - 13	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF
STONE CHURCH ROAD WEST AND UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G" (Neighbourhood Shopping Centre, etc.) district to "CR-2" (Commercial-Residential) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "CR-2" (Commercial - Residential) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 15B (16) of By-law No. 6593,
 - (i) the residential portion of a joint residential and commercial use building shall be comprised of not more than 200 dwelling units; and
 - (ii) the commercial portion of a joint residential and commercial use building shall be comprised of not more than 1,858 m² gross floor area located at grade level.

- (b) notwithstanding clause 15B(8)
(b) of By-law No. 6593, no
building or structure shall
exceed 8 storeys in height.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-2" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-959".

5. Sheet No. W-37C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-959".

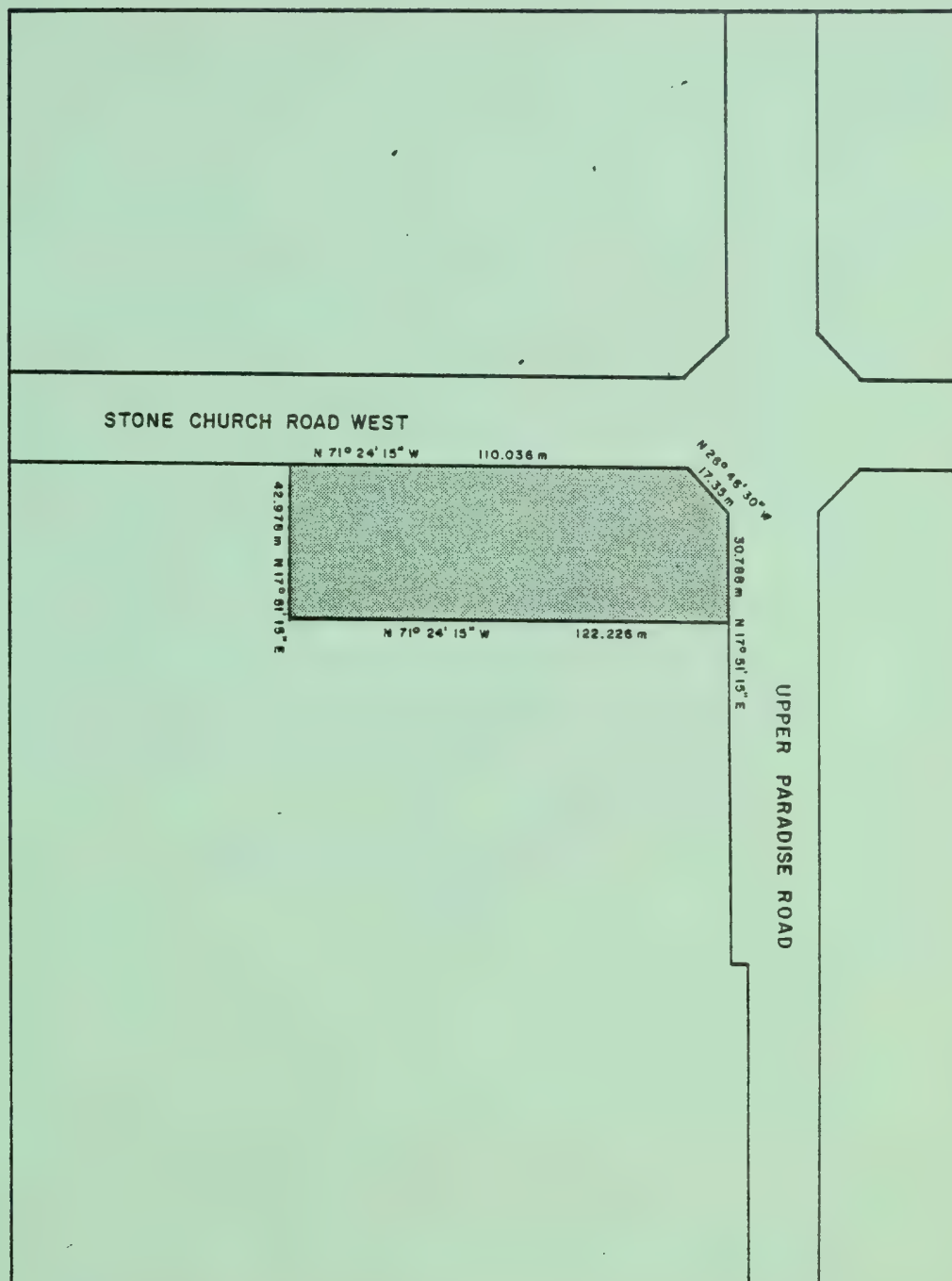
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk.

Mayor



(1986) 10 R.P.D.C. 5, May 13
Arosa Properties Limited, Owner
ZA-86-17



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

<p>CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY - LAW NO. 86 - TO AMEND BY-LAW NO. 6593</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p>Legend</p> <p> CHANGE IN ZONING FROM "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED TO "CR-2" (COMMERCIAL - RESIDENTIAL) DISTRICT.</p>	
			<p>North</p> 	<p>Scale</p> <p>NOT TO SCALE</p>
		<p>Date</p> <p>86 - 05 - 12</p>	<p>Drawing No.</p>	

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 302 BRUCEDALE AVENUE EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

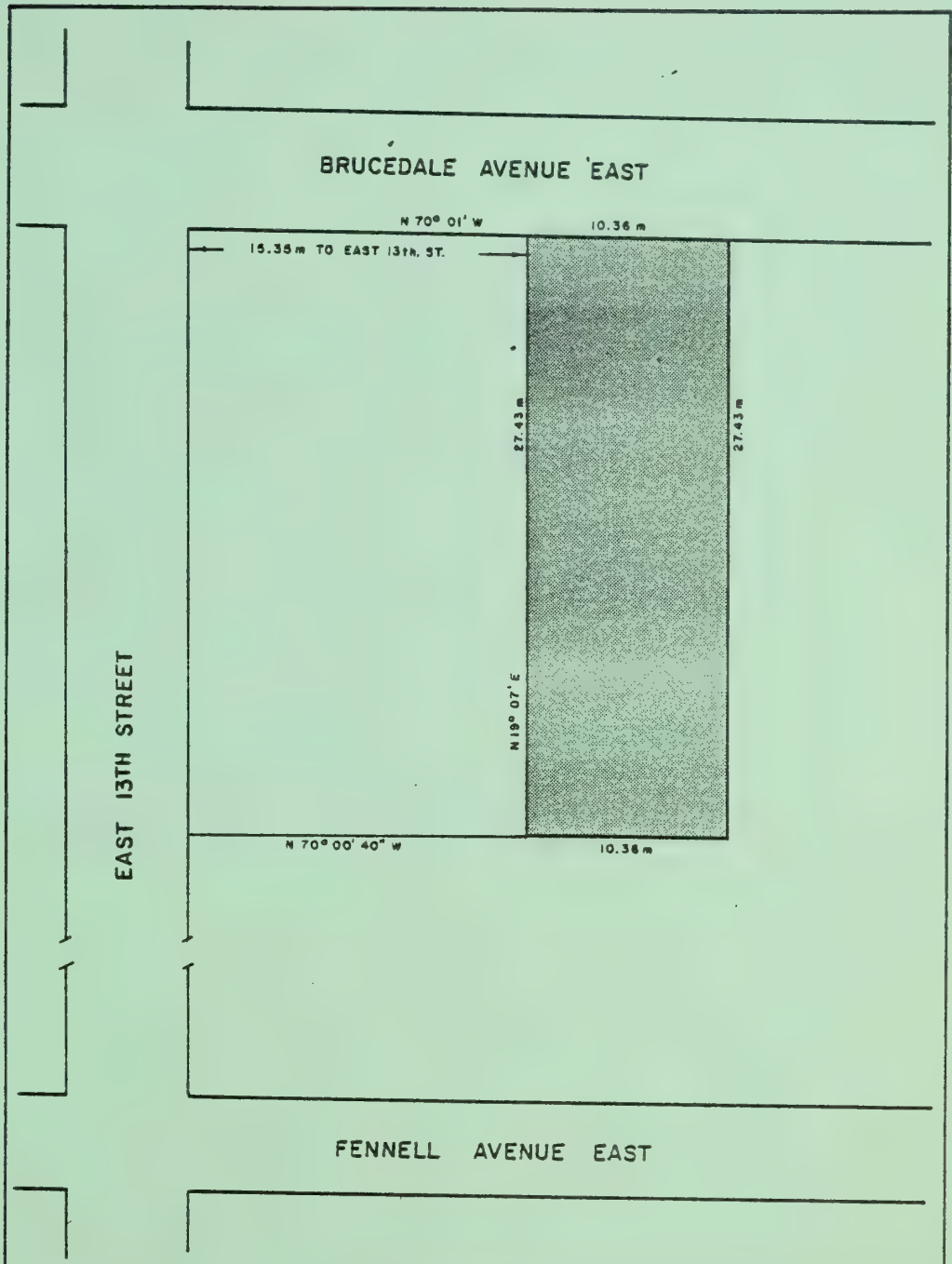
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding subsection 13(1) of By-law No. 6593, the following,
 - (i) COMMERCIAL USES shall not be prohibited:
 1. A carpet and upholstery cleaning establishment within the building existing on the day of the passing of this by-law.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" district provisions, subject to the special requirement referred to in section 1.
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-958".
4. Sheet No. E-16 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-958".
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 -
 PASSED THE _____ DAY OF _____


 Clerk


 Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
 BY-LAW NO. 86 -

North 	Scale	Reference File No.
	NOT TO SCALE	ZA-86-24
	Date	Drawing No.
	86-05-13	

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 131 ABERFOYLE AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 13(1) of By-law No. 6593, the number of dwelling units within the building existing on the day of the passing of this by-law shall not exceed 10 dwelling units;

(b) notwithstanding paragraph 1(g) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 4 parking spaces shall be provided and maintained.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-957".

4. Sheet No. E-67 of the District Maps, is amended by marking the land referred to in section 1 of this by-law, "S-957".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

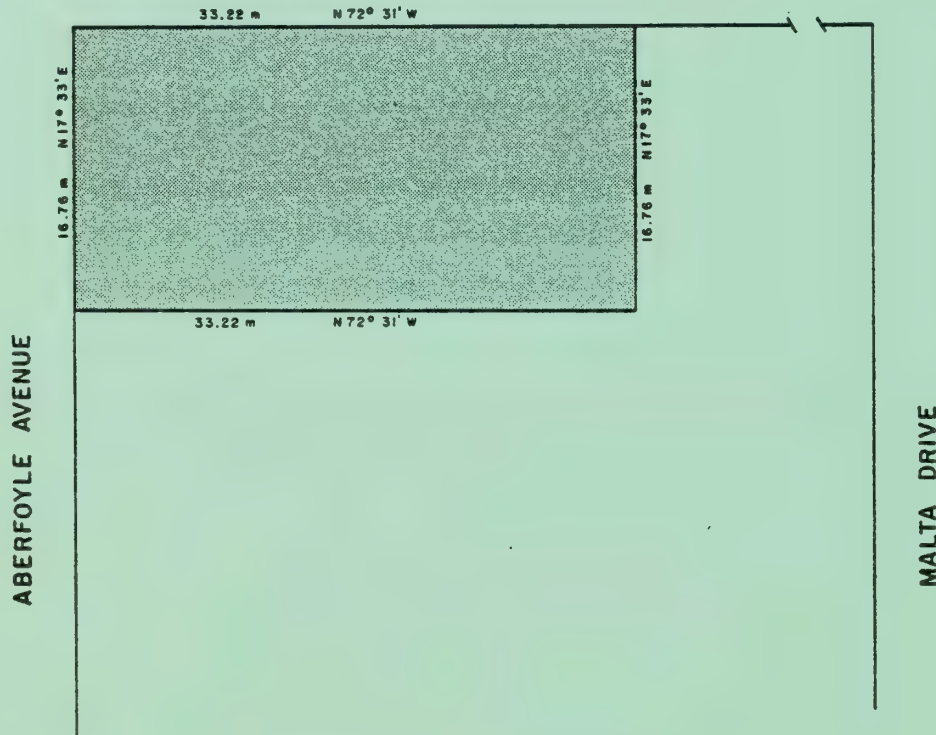
PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 10 R.P.D.C. 3, May 13
Roybuc Investments Limited, Owner
ZA-86-22



DUNDONALD AVENUE



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

<p>CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY - LAW NO. 86 - TO AMEND BY-LAW NO. 6593</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p>Legend</p> <p> LANDS TO BE REGULATED BY BY - LAW NO. 86 -</p>		
North	Scale	Reference File No.			
	NOT TO SCALE	ZA - 86 - 22			
	Date	Drawing No.			
	86 - 05 - 12				

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST,
IN THE AREA WEST OF UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-49D and E-49E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "L-c" (Planned Development - Commercial) district to "HH" (Restricted Community Shopping and Commercial) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

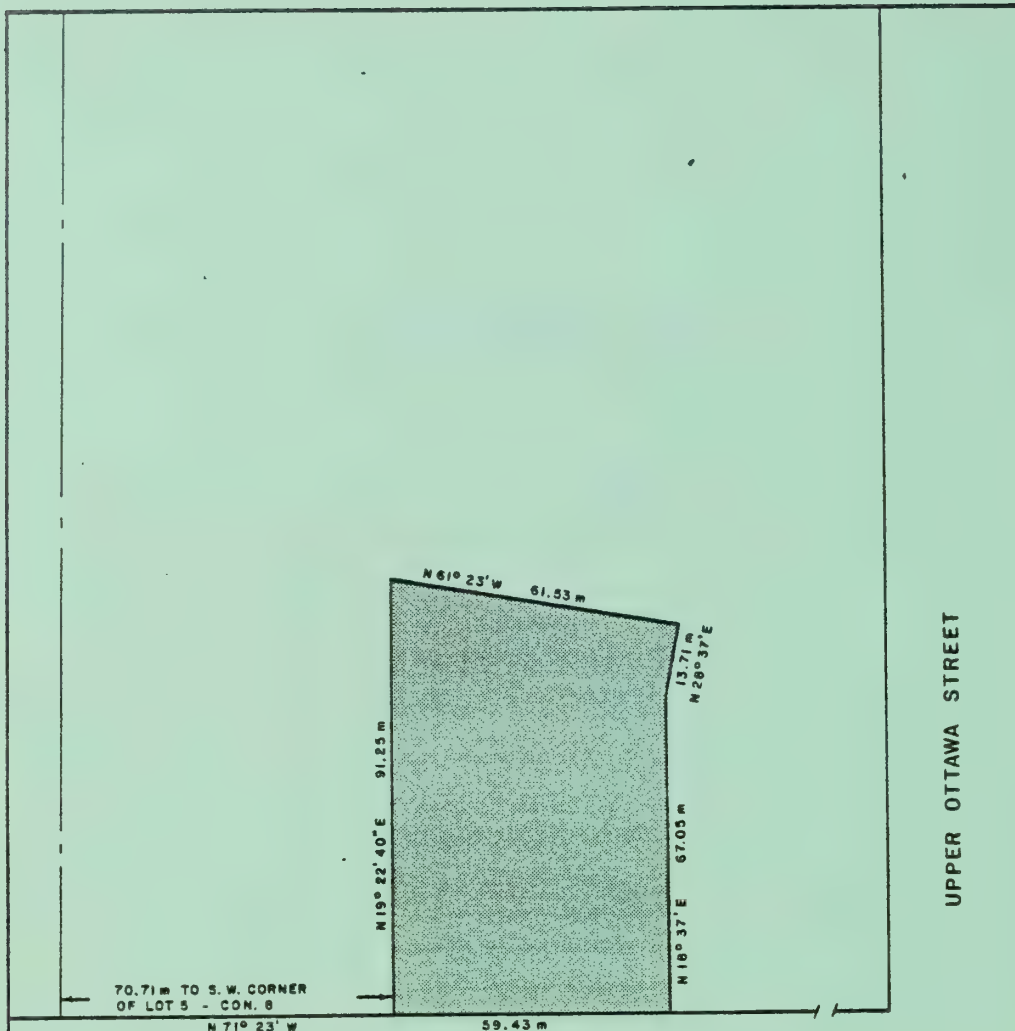
PASSED this

day of

A.D. 1986.

City Clerk

Mayor



RYDAL ROAD EAST

UPPER OTTAWA STREET

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE _____ DAY OF _____


Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 CHANGE IN ZONING FROM "L-C" (PLAN-
NED DEVELOPMENT - COMMERCIAL) DIS-
TRICT, TO "HH" (RESTRICTED COMMUNI-
TY SHOPPING & COMMERCIAL) DISTRICT.

North



Scale
NOT TO SCALE

Date
86-05-14

Reference File No.
ZA-86-18

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF
BAY STREET SOUTH AND MAIN STREET WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HI" (Civic Centre Protected Districts) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 15A(1) of By-law No. 6593, the following,
 - (i) RESIDENTIAL USE shall not be prohibited:
 - 1. A multiple dwelling comprised of dwelling units located above the first storey;
- (b) Commercial Uses shall be located within the first storey of the building;
- (c) Commercial Uses referred to in clauses 15A(1)(ix), 15A(1)(xii) and 15A(1)(xv) may front on a street and have access to the street;
- (d) notwithstanding clause 15A(2)(ii) of By-law No. 6593, the following side yards shall be provided and maintained:
 - (i) where a side yard abuts a road allowance, a side yard not less than 3.1 m. wide;
 - (ii) where a side yard does not abut a road allowance, a side yard not less than 0.3 m. wide;

- (e) a front yard of a depth of not less than 3.1 m. shall be provided and maintained along Main Street West;
- (f) a landscaped area not less than 1,100 m² shall be provided and maintained;
- (g) section 2(2)J(xb)A of By-law No. 6593 shall not apply to the landscaped area located at grade bordering the road allowance;
- (h) an amenity area not less than 1,000 m² shall be provided and maintained;
- (i) notwithstanding paragraph (cc) of clause 18(3)(vi) of By-law No. 6593, the second floor and balconies, enclosed or unenclosed, may project into the required yards along Main Street West, not more than 2.5 m. and shall not be located closer to the lot line than 0.6 m.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HI" district provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-956".

4. Sheets Nos. W4 and W5 of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-956".

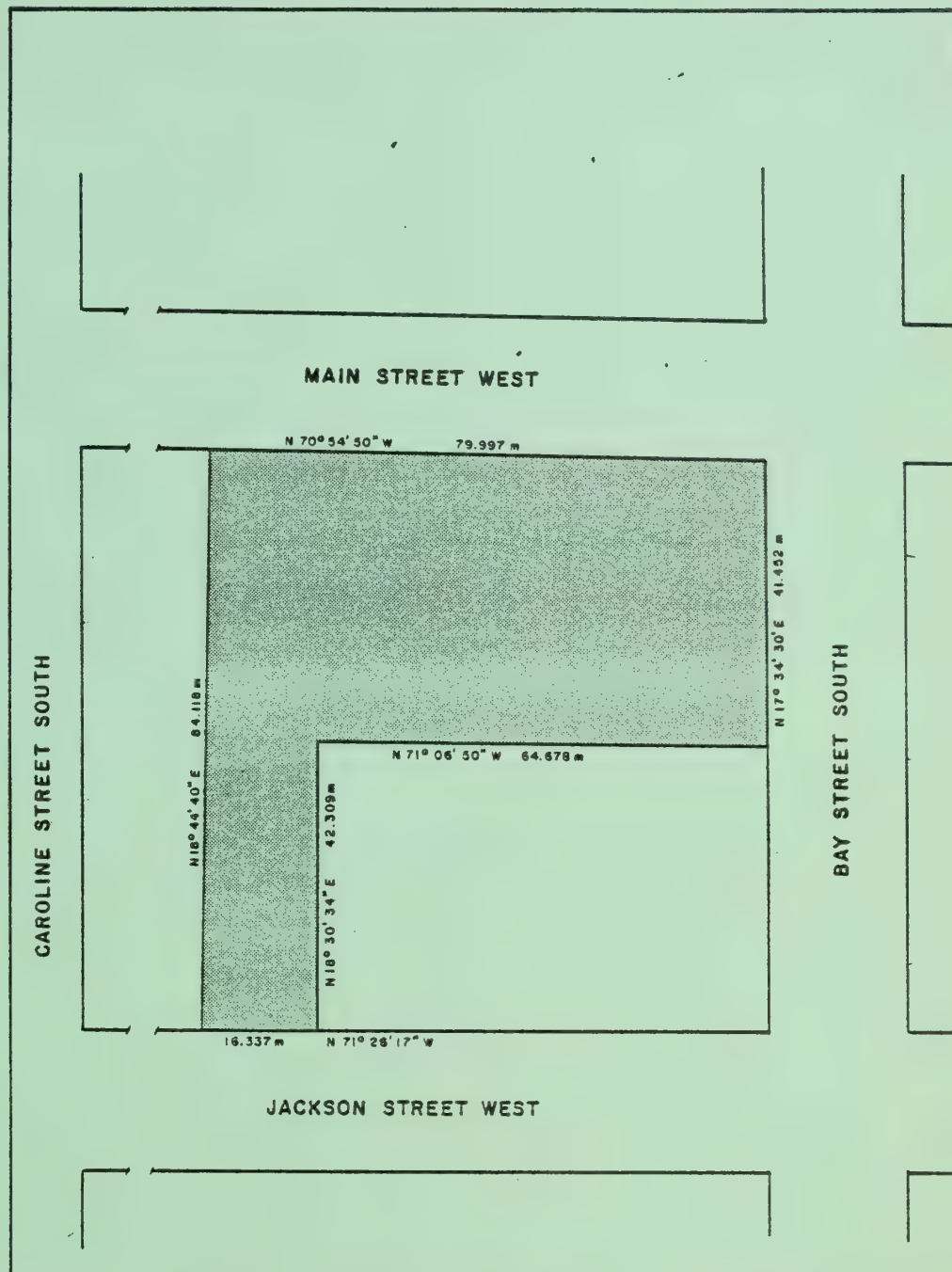
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 10 R.P.D.C. 1, May 13
P. Barnett Construction Ltd.,
Prospective Owner
ZA-85-84



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
 PASSED THE _____ DAY OF _____


 Clerk

 Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
 BY-LAW NO. 86-

North



Scale
 NOT TO SCALE

Reference File No.
 ZA-85-84

Date
 86-05-9

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1492 UPPER JAMES STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) in accordance with section 38 of The Planning Act, 1983, the buildings or structures existing on the day of the passing of this by-law and the land may be used temporarily for the sale of new and used automobiles for a period not exceeding three years from the day of the passing of this by-law;
- (b) notwithstanding clause 18(3)(ivc) (b) of By-law No. 6593, a landscaped planting strip at least 3.0 metres in width, shall be provided and maintained only along the northerly lot line;
- (c) notwithstanding clause 18(3)(ivc) (c) of By-law No. 6593, no visual barrier shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" district provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-939".

4. Sheet No. W-9D of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-939".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

day of

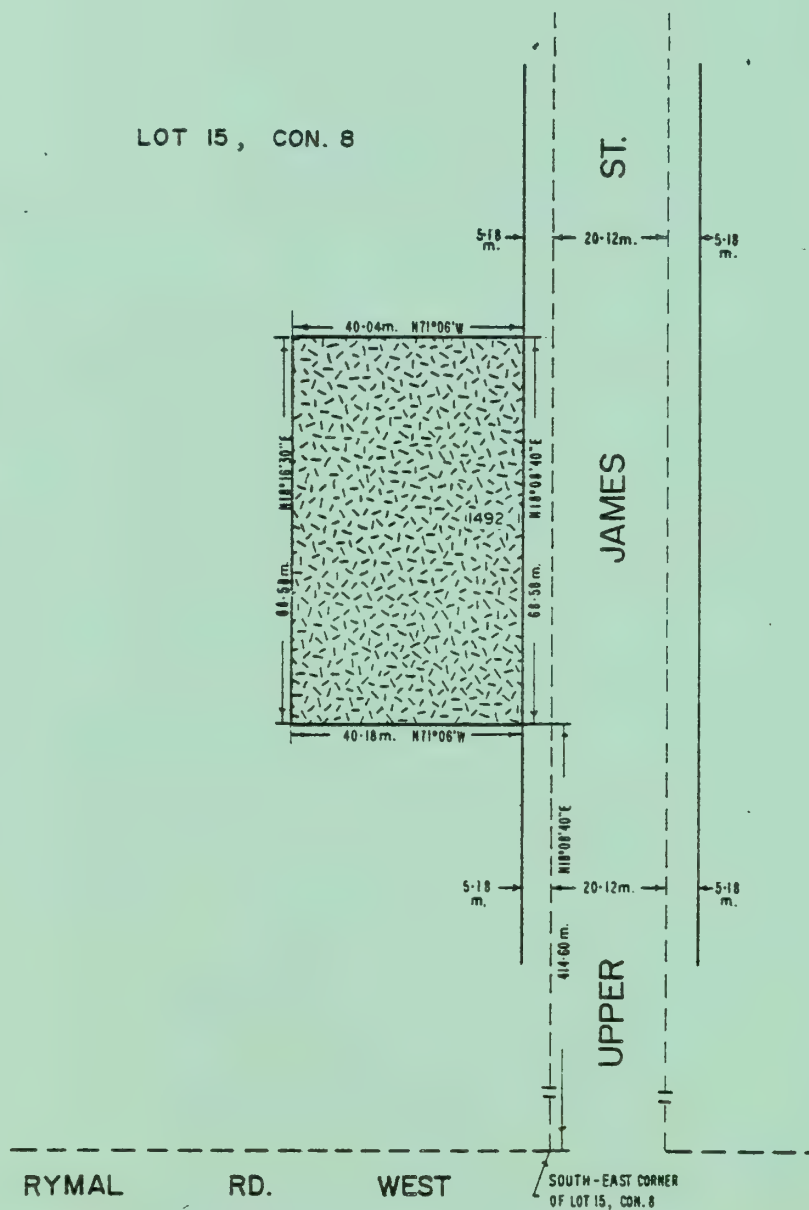
A.D. 1986.

City Clerk

Mayor

(1986) 26 R.P.D.C. 6B, October 8
(1986) 11 R.P.D.C. 12, May 27
Alex Sourdos, Owner
ZA-85-65

LOT 15, CON. 8



THIS IS SCHEDULE "A" TO BY-LAW NO.
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. .

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW
NO.

North



Scale

1:1000

Date
85-10-11

Reference File No.

7A85-65

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1492 UPPER JAMES STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

89. Land located at Municipal No. 1492 Upper James Street, shown on Appendix 89 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 89.

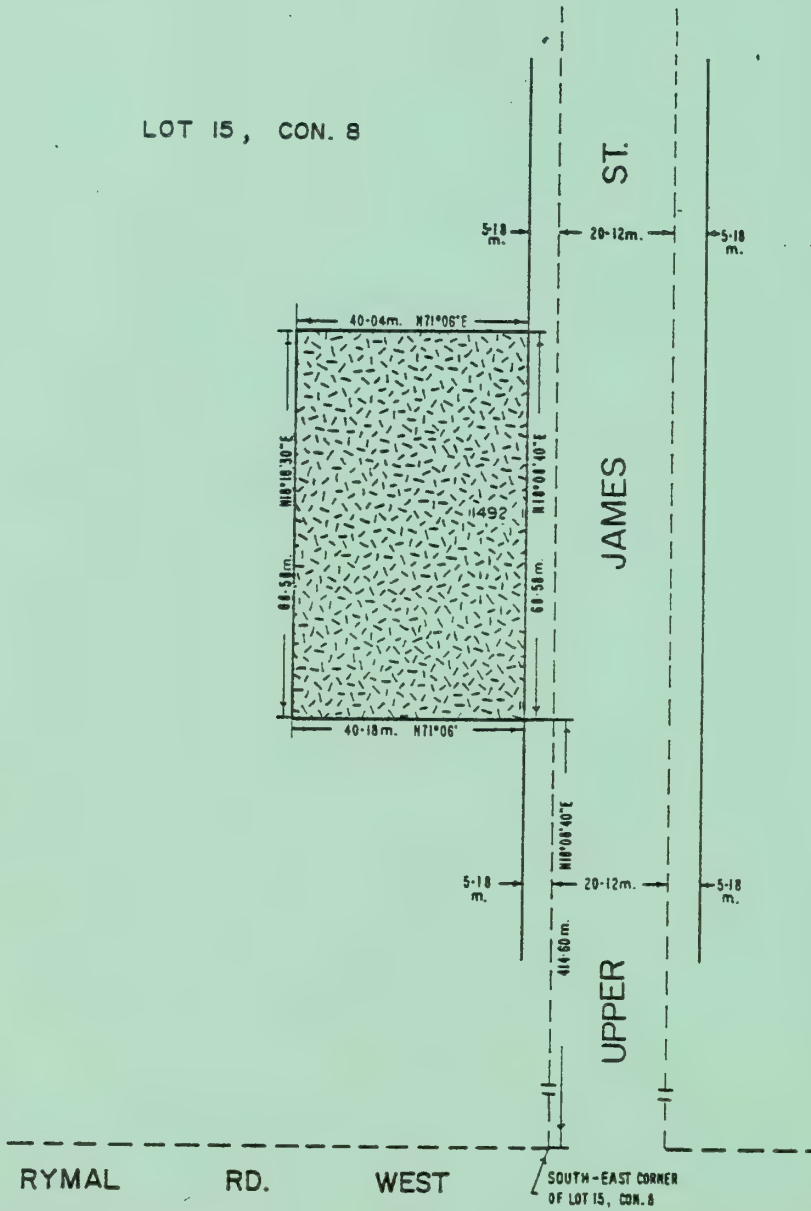
PASSED this day of A.D. 1986.

City Clerk

Mayor

(1985) 26 R.P.D.C. 6C, October 8
Alex Sourdos, Owner
ZA-85-65

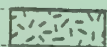
LOT 15, CON. 8



THIS IS SCHEDULE "A" TO BY-LAW NO.
PASSED THE DAY OF

Clerk

Mayor



LEGEND



Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 89 to By-law No. 79-275.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE AREA EAST OF THE PROPOSED EXTENSION OF
GREENHILL AVENUE AND SOUTH OF KING STREET EAST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under the Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-107 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, the land comprised in Block 4; and
- (b) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 7,

the extent and boundaries of each of which Blocks 4 and 7 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

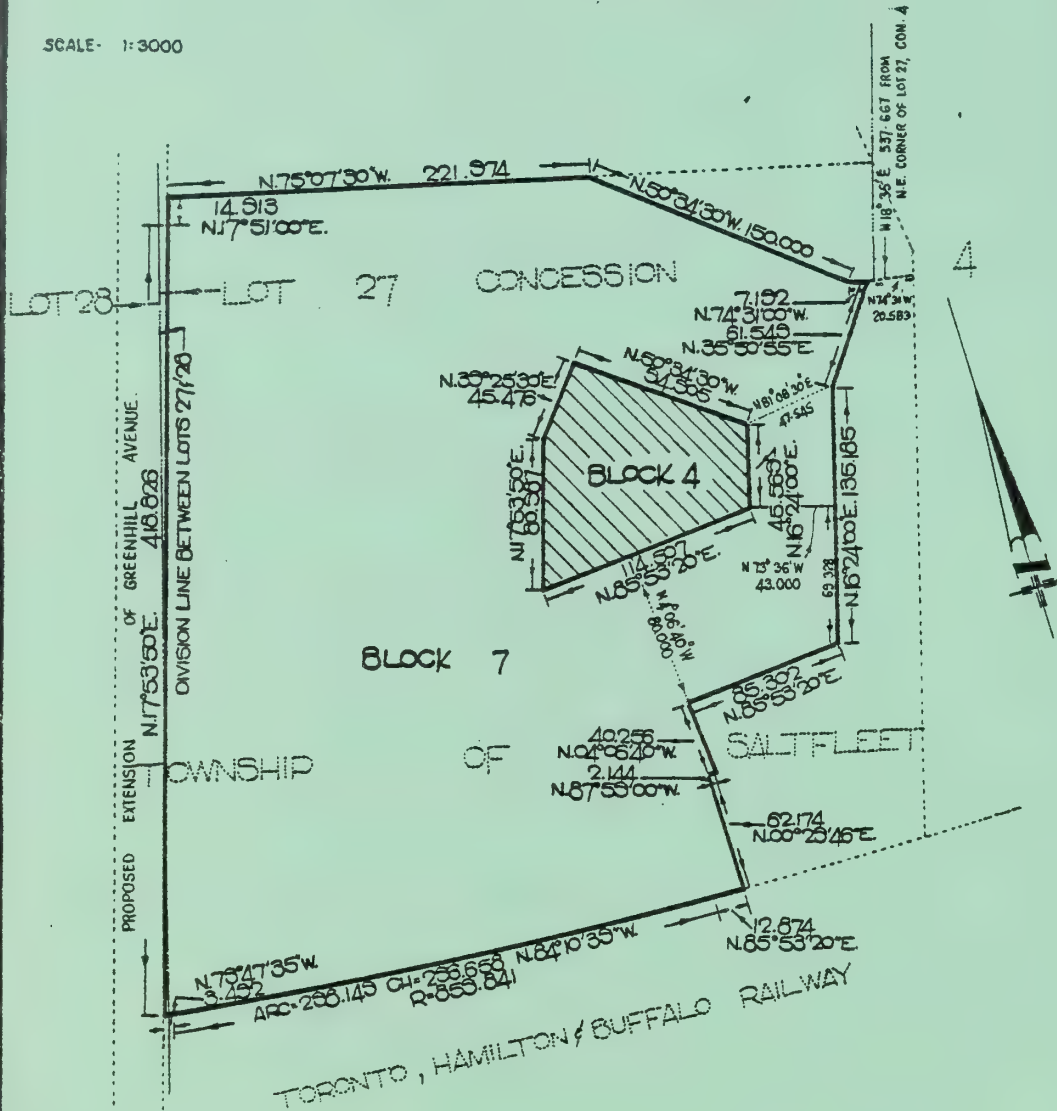
PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 9 R.P.D.C. 9(2), April 29
William Nash, Owner
ZA-86-01

SCALE: 1:3000



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 -
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICUL-
TURAL) DISTRICT TO:



"A" (CONSERVATION, OPEN SPACE, PARK
AND RECREATION) DISTRICT.



"C" (URBAN PROTECTED RESIDENTIAL,
ETC.) DISTRICT.

North



Scale
1:3000

Date
86-06-12

Reference File No.
ZA-86-01

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA SOUTH OF KING STREET EAST
AND WEST OF GREENHILL AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-106 and E-107 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 5; and
- (c) by changing from "AA" (Agricultural) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land comprised in Block 8,

the extent and boundaries of each of which Blocks 1, 5, and 8 are shown on a plan hereto annexed as Schedule "A".

2. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land referred to in clause 1(c), are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 13
(1) of By-law No. 6593, the
following,

(i) COMMERCIAL USES shall not
be prohibited:

1. A Medical Clinic;
2. A Dental Clinic;

(b) notwithstanding subsection 13
(1) of By-law No. 6593, the
following,

(i) COMMERCIAL USES shall be
prohibited:

1. A Restaurant or Re-
freshment Room;
2. A Laundry or Dry-
Cleaning Establish-
ment;
3. A Storage Garage.

3. No building or structure shall be erected,
altered, extended or enlarged, nor shall any building
or structure or part thereof be used, nor shall any
land comprised in Block 8 be used, except in accordance
with the "G" District provisions, subject to the special
requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-
law to section 19B as "S-955".

5. Sheets Nos. E-106 and E-107 of the District
Maps are amended by marking the lands referred to in
section 1(c) of this by-law, "S-955".

6. The City Clerk is hereby authorized and direc-
ted to proceed with the giving of notice of the passing
of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk .

Mayor

(1986) 9 R.P.D.C. 7(2), April 29
William Nash, Owner
ZA-84-75

SCALE - 1" = 2000

KING STREET

Block 8

Block 5

Block 1

Greenhill Avenue











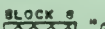

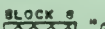

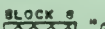
CONCESSION 4


TWP. OF SALT FLEET

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-_____
PASSED THE _____ DAY OF _____

Clerk

Mayor

<p>CITY OF HAMILTON</p> <p>SCHEDULE "A"</p> <p>MAP FORMING PART OF</p> <p>BY-LAW NO. 86-</p> <p>TO AMEND BY-LAW NO. 6593</p>	<p style="text-align: center;">Legend</p> <p>CHANGE IN ZONING FROM: "AA" (AGRICUL- TURAL) DISTRICT TO:</p> <table style="width: 100%;"> <tr> <td style="width: 15%; text-align: center;">BLOCK 1 </td> <td>"A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.</td> </tr> <tr> <td style="text-align: center;">BLOCK 5 </td> <td>"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.</td> </tr> <tr> <td style="text-align: center;">BLOCK 8 </td> <td>"G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.</td> </tr> </table>	BLOCK 1 	"A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.	BLOCK 5 	"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.	BLOCK 8 	"G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
BLOCK 1 	"A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.						
BLOCK 5 	"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.						
BLOCK 8 	"G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.						
<p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; text-align: center; vertical-align: middle;">  </td> <td style="width: 35%; text-align: center; vertical-align: middle;">1:2000</td> <td style="width: 35%; text-align: center; vertical-align: middle;">ZA - 84 - 75</td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">  </td> <td style="text-align: center; vertical-align: middle;">86-06-12</td> <td></td> </tr> </table>		1:2000	ZA - 84 - 75		86-06-12	
	1:2000	ZA - 84 - 75					
	86-06-12						

	1:2000	ZA-84-75
	86-06-12	

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED WEST OF MUNICIPAL NO. 83 JONES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-21 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

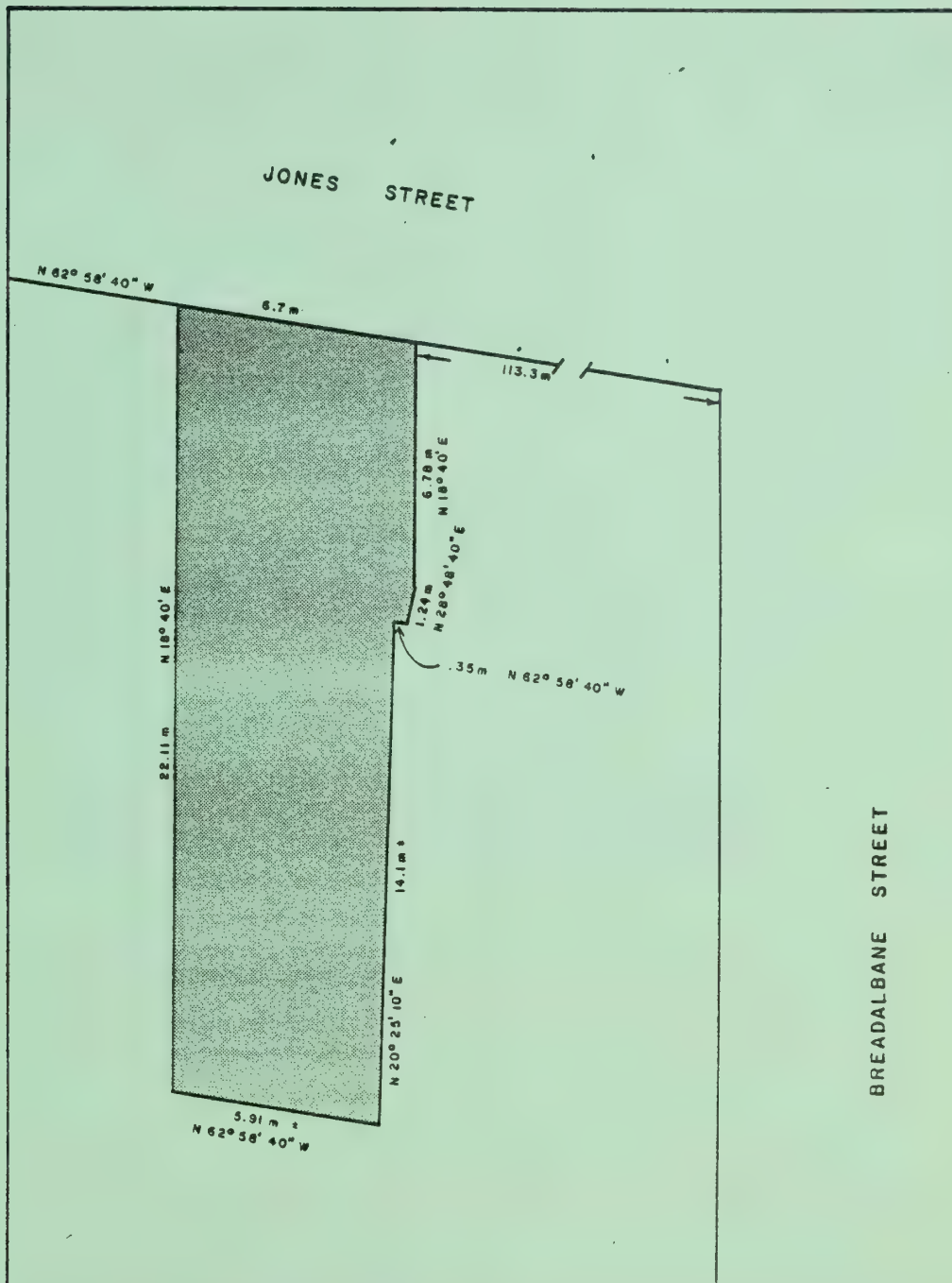
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 11 R.P.D.C. 1, May 27
William Stables, Prospective Owner
ZA-86-23



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE _____ DAY OF _____

Clerk

Mayor

**CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86-
TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "A" (CONSERVATION, OPEN SPACE, PARK & RECREATION) DISTRICT TO "D" (URBAN PROTECTED RESIDENTIAL - ONE & TWO FAMILY DWELLINGS, ETC.) DISTRICT.

North



Scale

1:150

Reference File No.

ZA-86-23

Date

86-06-2

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED WEST OF MUNICIPAL NO. 83 JONES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-21 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

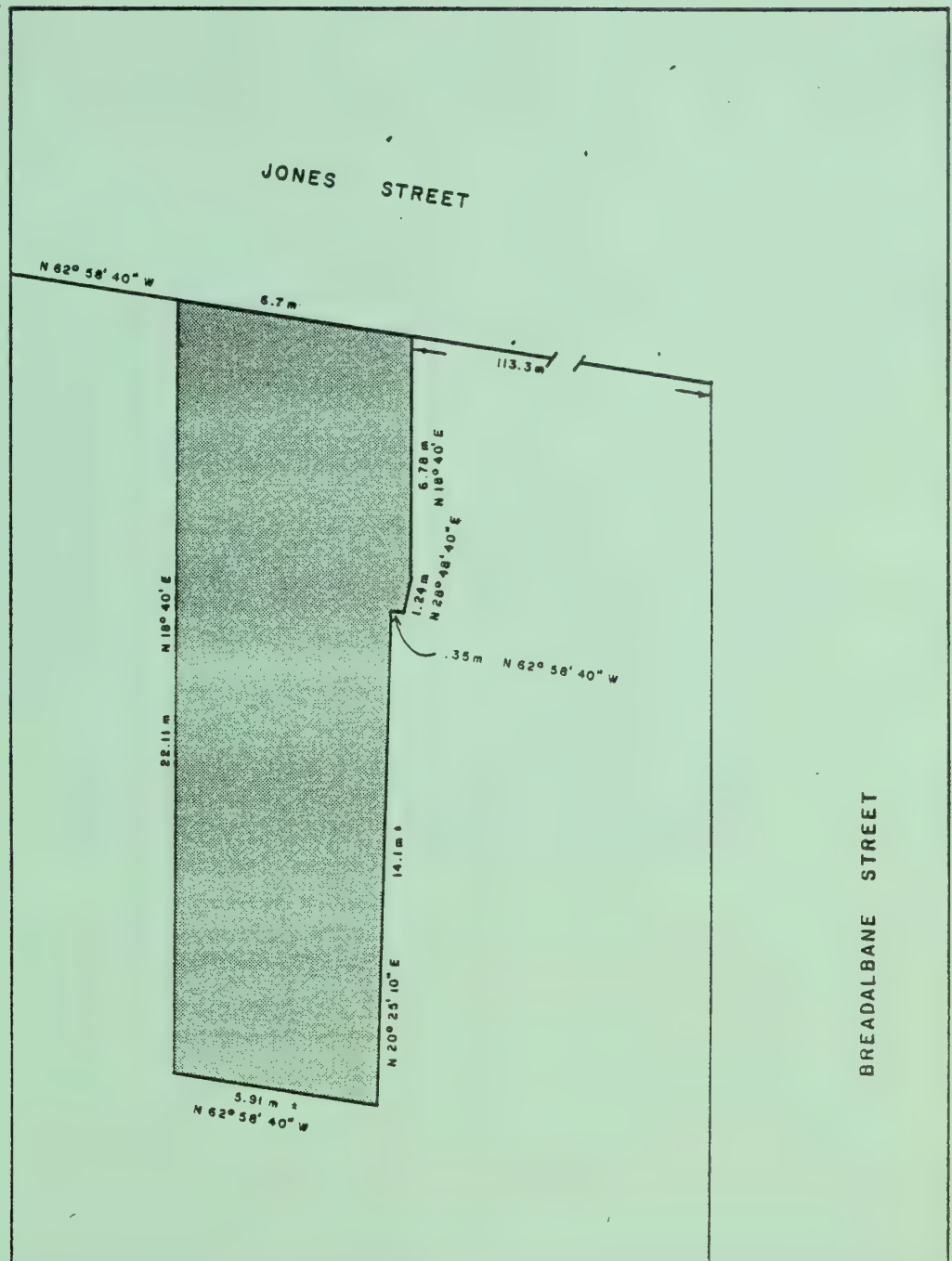
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 11 R.P.D.C. 1, May 27
William Stables, Prospective Owner
ZA-86-23



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
 PASSED THE _____ DAY OF _____


 Clerk

 Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 CHANGE IN ZONING FROM "A" (CONSERVATION, OPEN SPACE, PARK & RECREATION) DISTRICT TO "D" (URBAN PROTECTED RESIDENTIAL - ONE & TWO FAMILY DWELLINGS, ETC.) DISTRICT.

North



Scale
 1:150

Reference File No.
 ZA-86-23

Date
 86-06-2

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 67-298

Respecting:

Addendum No. 6

To

THE YORK STREET REDEVELOPMENT PLAN

WHEREAS pursuant to subsection 2 of section 22 of The Planning Act, the Council of a municipality which has an Official Plan may, with the approval of the Minister, by by-law, designate an area within the municipality as a redevelopment area;

AND WHEREAS The Corporation of the City of Hamilton does have an Official Plan;

AND WHEREAS on the 17th day of January, A.D. 1967, the Council of The Corporation of the City of Hamilton, with the approval of the Minister by By-law No. 67-33, did designate the area as therein described as a Redevelopment Area;

AND WHEREAS by subsection 5 of section 22 of The Planning Act, as it was prior to The Planning Amendment Act, 1973, the Council of a municipality, with the approval of The Ontario Municipal Board, may by by-law, adopt a Redevelopment Plan for the Redevelopment Area designated by by-law approved and passed as aforesaid;

AND WHEREAS by subsection 7 of section 22 of The Planning Act, as it was prior to The Planning Amendment Act, 1973, the Council of a municipality, with the approval of the Ontario Municipal Board, may by by-law, amend a Redevelopment Plan for a Redevelopment Area designated by a by-law approved and passed as aforesaid;

AND WHEREAS the Ontario Municipal Board, by Order dated the 26th day of June, 1967, approved the Redevelopment Plan entitled "York Street Urban Renewal Scheme, City of Hamilton, May, 1966", as amended by Addendum dated August, 1966, and as further amended by the "Supplementary Report, York Street Urban Renewal Scheme, City of Hamilton, 1966";

AND WHEREAS on the 18th day of October, 1967, the Council of The Corporation of the City of Hamilton, by By-law No. 67-298, adopted the Redevelopment Plan as amended by Addendum dated August, 1966 and the "Supplementary Report, York Street Urban Renewal Scheme, City of Hamilton, 1966";

AND WHEREAS by subsection 7 of section 22 of The Planning Act, as amended by subsection 1 of section

5 of The Planning Act, 1973, the Council with the approval of the Minister of Housing may, by by-law, amend a Redevelopment Plan for the Area designated by by-law approved and passed as aforesaid;

AND WHEREAS on the 29th day of October, 1974, the Council of The Corporation of the City of Hamilton by By-law No. 74-244, adopted Addendum No. 2 to the York Street Redevelopment Plan, the said by-law having been read a first and second time on the 30th day of January, 1973;

AND WHEREAS by Order dated the 23rd day of May, 1974, the Ontario Municipal Board approved Addendum No. 2 to the York Street Redevelopment Plan adopted as aforesaid upon reference by the Minister of Housing under subsection 1 of section 44 of The Planning Act;

AND WHEREAS the Order of the Ontario Municipal Board, dated the 23rd day of May, 1974, was confirmed by Order-in-Council (O.C. 2482/74), dated the 25th day of September, 1974;

AND WHEREAS on the 27th day of July, 1976 the Council of The Corporation of the City of Hamilton did pass By-law No. 76-210, adopting Addendum No. 3, and By-law No. 76-234, adopting Addendum No. 4, both amending the Redevelopment Plan for the York Street Redevelopment Area designated by By-law No. 67-33, the Minister having given his approval to the said Addenda Numbers 3 and 4 on the 7th day of June, 1976;

AND WHEREAS on the 31st day of September, 1978 the Council of The Corporation of the City of Hamilton did by By-law No. 78-275 adopt Addendum No. 5 and amended the Redevelopment Plan for the York Street Redevelopment Area designated by By-law No. 67-33, the Minister having given his approval to the said Addendum on the 29th day of September, 1978;

AND WHEREAS the Redevelopment Plan as heretofore amended and adopted is proposed to be further amended by Addendum No. 6 hereinafter referred to;

AND WHEREAS Addendum No. 6 is in conformity with the Official Plan of the City of Hamilton approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

I. The Redevelopment Plan entitled "York Street Urban Renewal Scheme, City of Hamilton, May, 1966", as amended by Addendum dated August, 1966, and by "Supplementary Report, York Street Urban Renewal Scheme, City of Hamilton, 1966", and by Addenda Nos. 2, 3, 4 and 5, is further amended by Addendum No. 6 hereto annexed as Schedule "A" and forming part of this by-law.

2. The Redevelopment Plan as amended, referred to in section 1, is hereby adopted as the Redevelopment Plan for the Redevelopment Area designated by By-law No. 67-33, passed on the 17th day of January, 1967.

READ A FIRST AND SECOND TIME on the day of
A.D. 1986.

READ A THIRD TIME AND FINALLY PASSED on the day of
A.D. 1986, the approval of the Minister of
Municipal Affairs to Addendum No. 6 having been granted
on the day of , 1986.

City Clerk

Mayor

(1986) 12 R.P.D.C. 15, June 24

SCHEDULE "A"

To

By-law No. 86-

ADDENDUM NO. 6

YORK STREET REDEVELOPMENT PLAN

CITY OF HAMILTON

April, 1986

1. THE YORK STREET REDEVELOPMENT PLAN:

(1) The York Street Redevelopment Plan, dated May, 1966, as amended by an Addendum thereto dated August, 1966 and by a Supplementary Report dated November, 1966, was adopted by By-law No. 67-298 pursuant to section 22 of The Planning Act, R.S.O. 1970, Chapter 349 and was entitled the "York Street Urban Renewal Scheme, City of Hamilton", (hereinafter referred to as the "York Street Plan").

(2) Subsequently, the "York Street Plan" was amended by the following Addenda, each adopted by by-law:

<u>Addendum Number</u>	<u>Date</u>	<u>By-law Number</u>
2	September, 1972	74-244
3	February, 1975	76-210
4	February, 1976	76-234
5	June, 1978	78-275

2. PROPOSAL:

The "York Street Plan", as amended, be further amended by Addendum No. 6.

3. LAND COMPRISED IN ADDENDUM NO. 6:

(1) The land dealt with in Addendum No. 6 is located within the York Street Redevelopment Area designated by By-law No. 67-33 in accordance with subsection 20(2) of The Planning Act, R.S.O. 1960, Chapter 269.

(2) The land is more particularly described as within the block bounded by Hess, Queen, Peter and Napier Streets

and is located immediately south of Site,13 shown on Map 16 forming part of the "York Street Plan", dated May, 1966.

4. BASIS OF AMENDMENT:

(1) The "York Street Plan", as amended from time to time, referred to in section 1, above, did not provide for the redevelopment of the land comprised in this Addendum. The land is presently owned by the City of Hamilton.

(2) It is proposed that the land shall be developed, redeveloped, rehabilitated or used for mixed commercial/residential and/or parking lot use.

(3) The development, redevelopment, rehabilitation or use of the site for a parking lot shall be implemented in order to encourage, support, urge and stimulate,

(a) development, redevelopment and rehabilitation; or

(b) the use of already developed, redeveloped or rehabilitated sites,

in the York Street Urban Renewal Area and the Civic Square Urban Renewal Area, (hereinafter referred to as "the Urban Renewal Areas" and now known as "Community Improvement Project Areas", under The Planning Act, 1983).

5. DEVELOPMENT POLICY:

(1) The subject land is to be designated as mixed commercial/residential and/or parking lot use.

(2) Where the land is designated for commercial/residential purposes, the City of Hamilton may sell, lease or otherwise dispose of or license the use or occupation of the subject land upon such terms and conditions as may be determined by the City.

(3) Where the land is designated for parking purposes, the City may sell, lease or otherwise dispose of or license

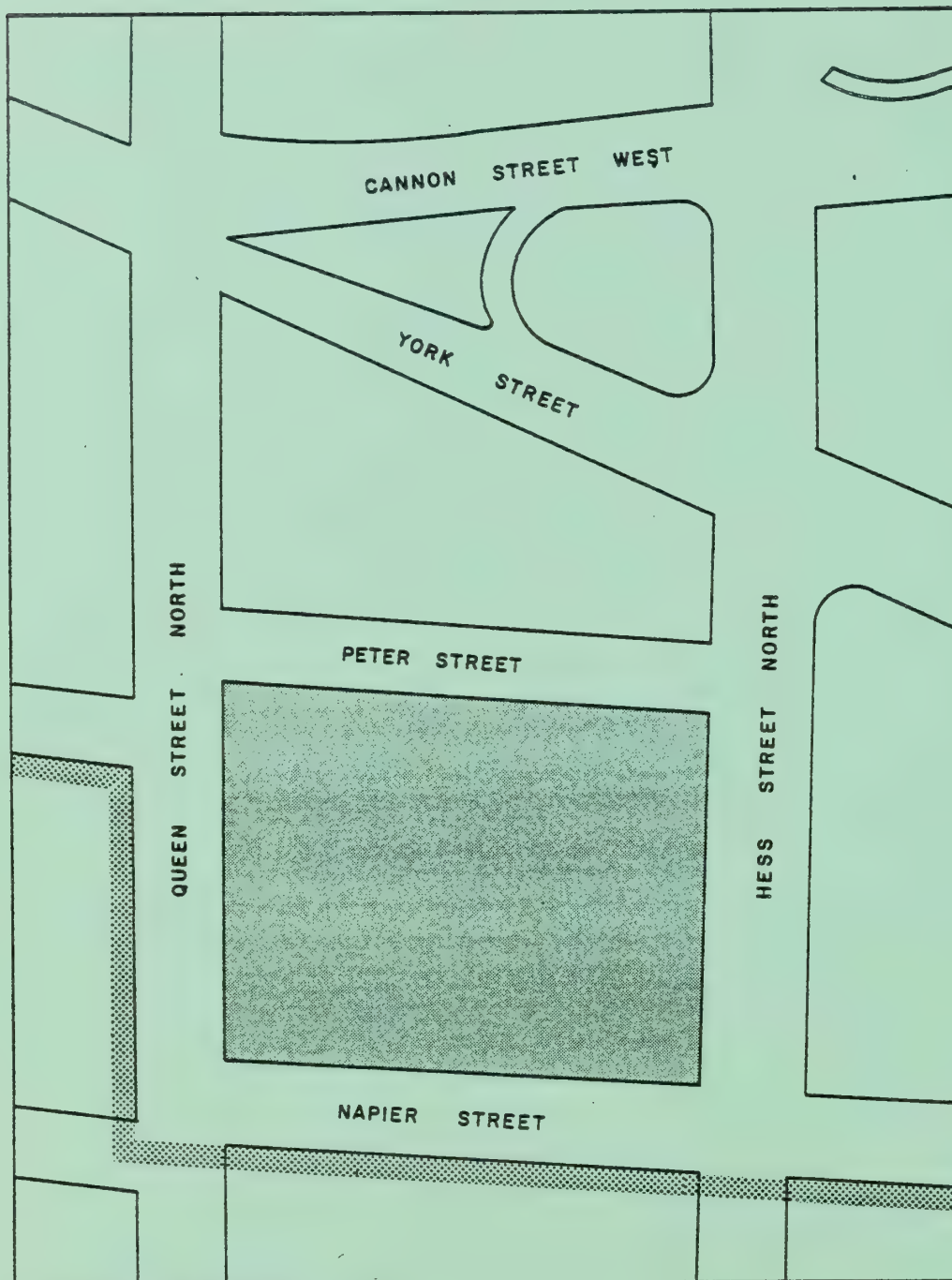
the use and occupation of the subject land in order to service the demands for parking facilities by industrial, commercial, residential or institutional or development, redevelopment or rehabilitation or uses, in the Urban Renewal Areas upon such terms and conditions as may be determined by the City.

(4) It is the intention of the City that any sale, lease or disposal or license shall provide revenue determined by the City sufficient to give effect to the principal purpose, namely to encourage, support, urge and stimulate development, redevelopment and rehabilitation or the use of land in the Urban Renewal Areas.

6. MAP REVISION:

(1) Map No. 16 of the Redevelopment Plan be amended to show the land as parking area.

(2) Map No. 1 hereto annexed represents the proposed revised "York Street Plan" incorporating the amendment detailed above.



THIS MAP I TO SCHEDULE "A"
TO BY - LAW NO. 86 - -----

Clerk

Mayor

CITY OF HAMILTON MAP I

FORMING PART OF
ADDENDUM 6
TO THE YORK STREET
REDEVELOPMENT PLAN

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LAND COMPRISED IN ADDENDUM 6



BOUNDARY OF YORK STREET
REDEVELOPMENT AREA (PART)

North



Scale
NOT TO SCALE

Reference File No.

Date
86 - 06 - 17

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 75 WENTWORTH STREET NORTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-13 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "DE-3" (Multiple Dwellings) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3" district provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding clauses 10C(2), 10C(3) and 10C(5) of By-law No. 6593, a multiple dwelling shall not be prohibited in the building existing on the day of the passing of this by-law;
- (b) the density of development shall not exceed 45 dwelling units of which,
 - (i) 37 dwelling units shall be contained within the multiple dwelling and 8 dwelling units shall be contained within a townhouse dwelling on the same lot; or

- (ii) the 45 dwelling units may be contained in one building only.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-961".

5. Sheet No. E-13 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-961".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

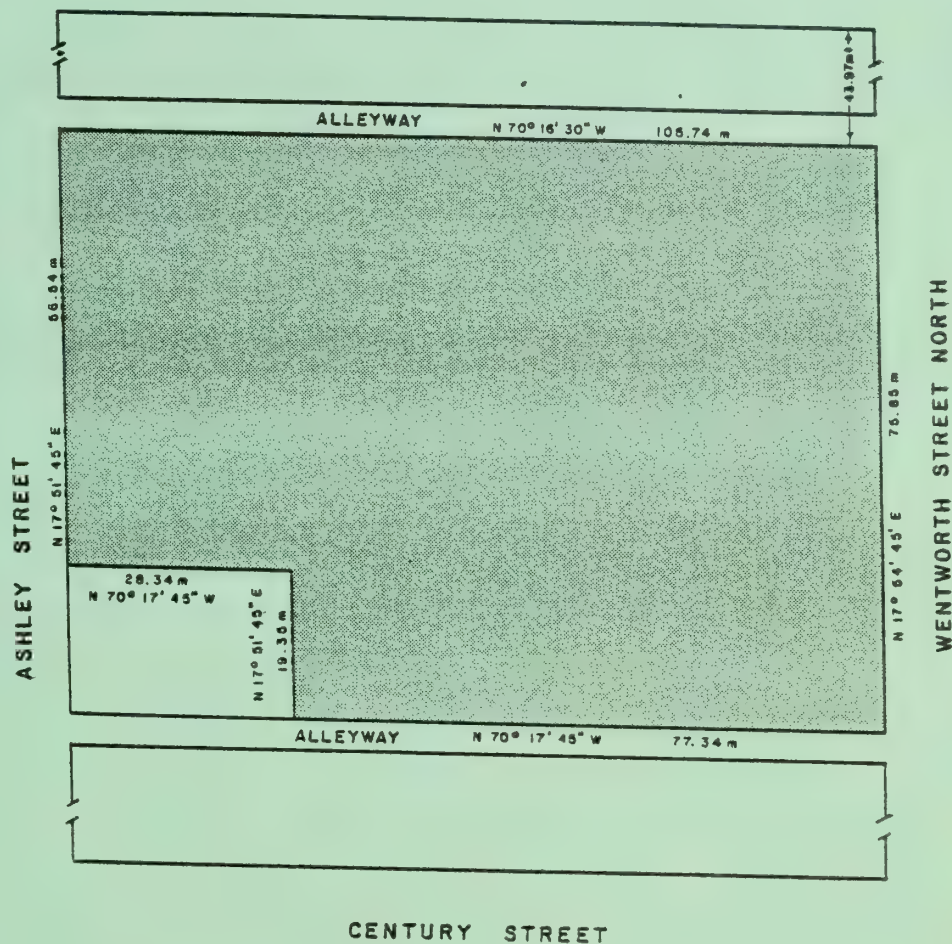
PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 11 R.P.D.C. 3, May 27
Municipal Non-Profit (Hamilton) Housing Corporation,
Prospective Owner
ZA-86-28

CANNON STREET EAST



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY-LAW NO. 86- TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "C"
(URBAN PROTECTED RESIDENTIAL,
ETC.) DISTRICT TO "DE-3"
(MULTIPLE DWELLINGS) DISTRICT.

North



Scale
NOT TO SCALE

Reference File No.
ZA - 86 - 28

Date
86 - 05 - 27

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 190 CATHARINE STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding subsection 11C (1) of By-law No. 6593, the following uses shall not be prohibited:

1. COMMERCIAL USES:

- (i) a business or professional person's office;
- (ii) a finance, insurance or real estate office.

2. ACCESSORY USE to each commercial use not prohibited in the "E-3" District:

- (i) One ground or one wall sign or one projecting sign complying with the following requirements:
 - A. No sign shall be more than 0.4 square metres in area.
 - B. No sign shall be located less than 1.5 metres from the nearest street line.

- C. No sign shall be illuminated unless the sign is illuminated by non-flashing indirect or interior means.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-960".

4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-960".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 11 R.P.D.C. 2, May 27
Agostino Ammendolia, Owner
ZA-86-25

FOREST AVENUE

28.59 m

9.6 m

28.34 m

9.67 m

CATHARINE STREET SOUTH

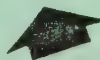
Clerk

Mayor

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

100

North



Date
86-06-11

ZA-86-25

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 366 BARTON STREET EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-12 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land referred to in section 1, and the "H" district provisions applicable to the land comprised in Block 2, the extent and boundaries of which are shown on Schedule "A", are amended to the extent only of the special requirement that,

- (a) a visual barrier not less than 1.2 m. and not greater than 2.0 m. in height shall be provided and maintained along and within the southerly lot line of Block 1.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-963".

5. Sheet No. E-12 of the District Maps is amended by marking the land referred to in sections 1 and 2 of this by-law, "S-963".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

day of

A.D. 1986.

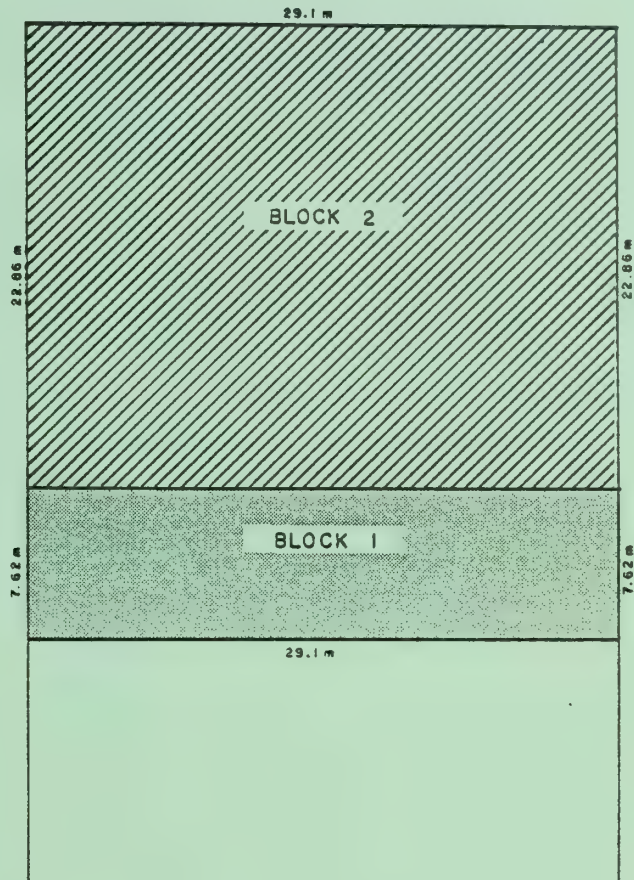
City Clerk

Mayor

(1986) 11 R.P.D.C. 5, May 27
Antonio Costa Cunha and
Maria Audrey Cunha, Owners
ZA-86-34

BARTON STREET EAST

OAK AVENUE



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 - _____
PASSED THE _____ DAY OF _____




Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

- BLOCK 1**  CHANGE IN ZONING FROM "D" (URBAN PROTECTED RESIDENTIAL - ONE & TWO FAMILY DWLLINGS, ETC.) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.
- BLOCK 1**  LANDS TO BE REGULATED BY BY-LAW NO. 86 -
- BLOCK 2** 

North



Scale
NOT TO SCALE

Date
86 - 05 - 29

Reference File No.
ZA - 86 - 34

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF LIMERIDGE ROAD EAST
AND EAST OF UPPER WELLINGTON STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-18A and E-18B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "R-4" Small Lot Single-Family Detached) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single-Family Detached) provisions applicable to the lands referred to in section 1, are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 9A(1) (a) of By-law No. 6593, a town-house dwelling complying with the "RT-10" District provisions of section 10D shall not be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-962".

5. Sheets Nos. E-18A and E-18B of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-962".

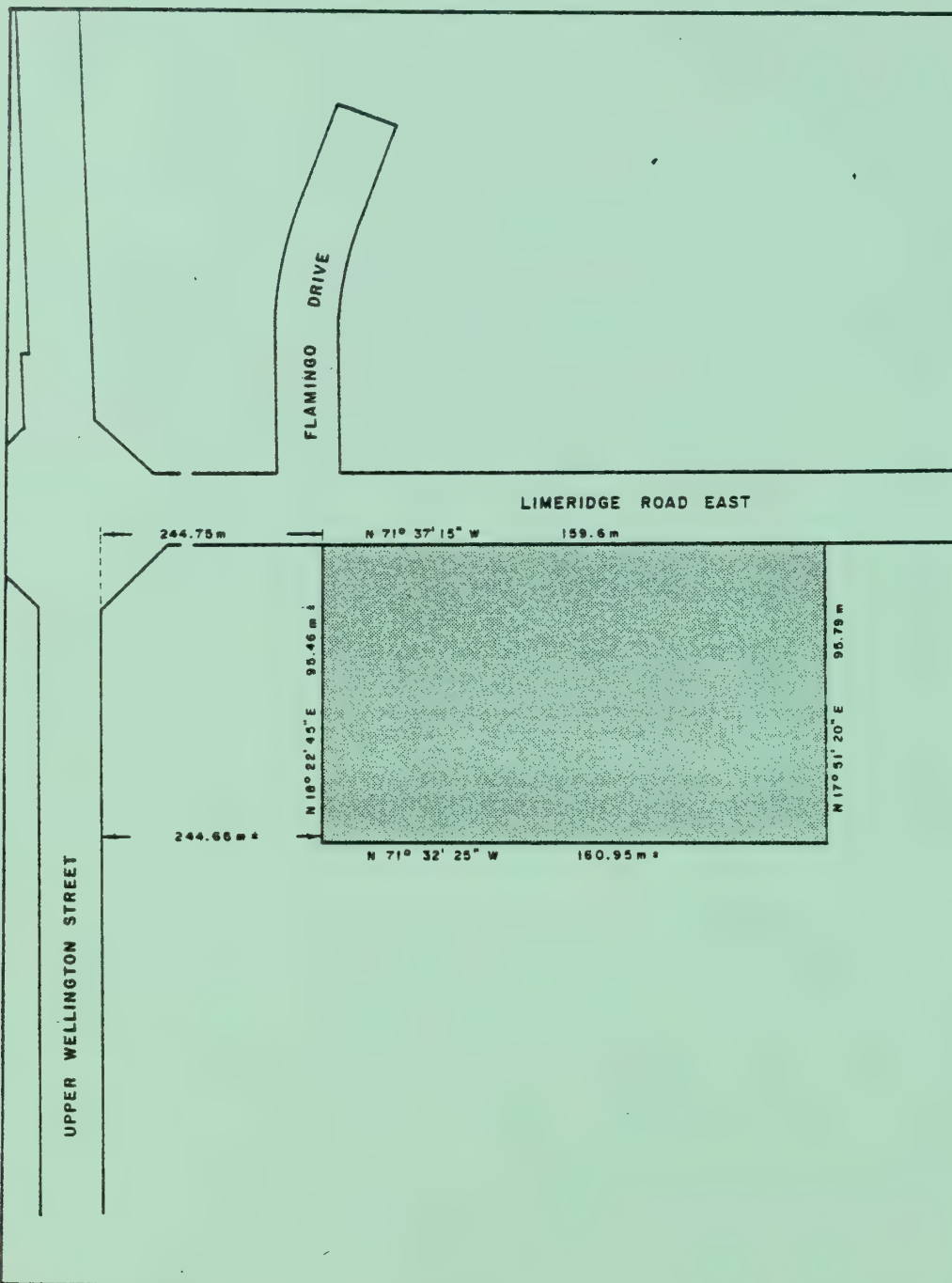
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 11 R.P.D.C. 4, May 27
Estate of Solomon Wasserman,
c/o Marvin Wasserman, Owner
ZA-86-03



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 - _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



CHANGE IN ZONING FROM "AA"
 (AGRICULTURAL) DISTRICT TO
 "R-4" (SMALL LOT SINGLE-FAMILY
 DETACHED) DISTRICT, MODIFIED.



North

Scale
 NOT TO SCALE

Reference File No.
 ZA - 86 - 03

Date
 86 - 05 - 28

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-EAST CORNER OF LIMERIDGE ROAD EAST
AND UPPER WELLINGTON STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950, and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-18A and E-18B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "RT-20" (Townhouse - Maisonette) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

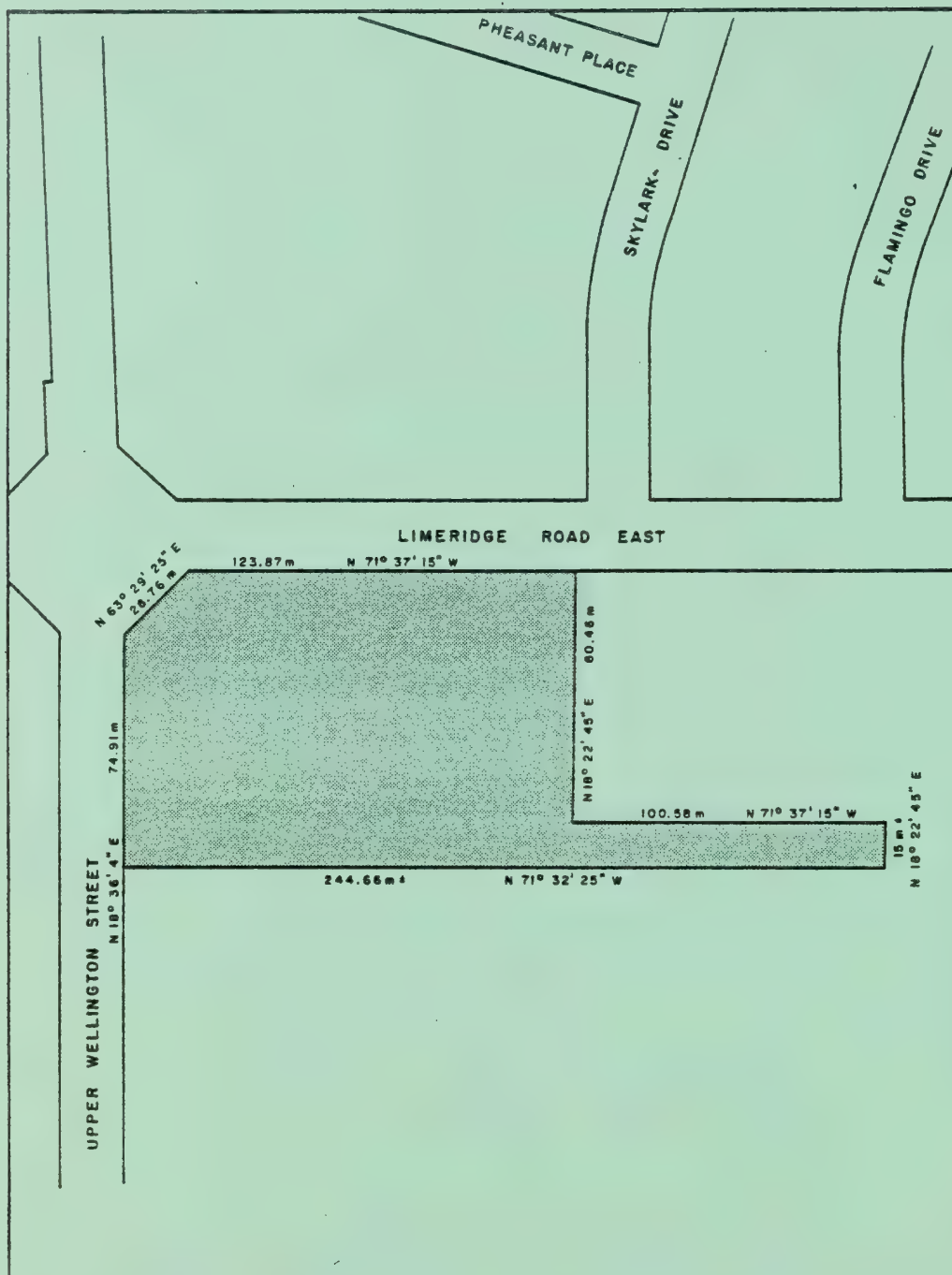
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Mayor





(1986) 11 R.P.D.C. 4, May 27
Estate of Solomon Wasserman,
c/o Marvin Wasserman, Owner
ZA-86-30



THIS IS SCHEDULE "A" TO BY-LAW NO 86-_____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

<p>CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY-LAW NO. 86 - TO AMEND BY-LAW NO. 6593</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p>Legend</p> <p> CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "RT-20" (TOWNHOUSE - MAISONETTE) DISTRICT.</p> <table border="1"> <tr> <td rowspan="2"> <p>North</p>  </td> <td> <p>Scale</p> <p>NOT TO SCALE</p> </td> <td> <p>Reference File No.</p> <p>ZA-86-30</p> </td> </tr> <tr> <td> <p>Date</p> <p>86-05-28</p> </td> <td> <p>Drawing No.</p> </td> </tr> </table>			<p>North</p> 	<p>Scale</p> <p>NOT TO SCALE</p>	<p>Reference File No.</p> <p>ZA-86-30</p>	<p>Date</p> <p>86-05-28</p>	<p>Drawing No.</p>
<p>North</p> 	<p>Scale</p> <p>NOT TO SCALE</p>	<p>Reference File No.</p> <p>ZA-86-30</p>								
	<p>Date</p> <p>86-05-28</p>	<p>Drawing No.</p>								

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 76-19

Respecting:

**THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA
GENERALLY COVERING BOTH SIDES OF KING STREET EAST
BETWEEN MARY STREET AND WELLINGTON STREET**

WHEREAS By-law No. 76-19, passed on the 27th day of January, 1976, designated and described the improvement area referred to therein as "The area comprised of both sides of King Street East, between Wellington Street and Mary Street";

AND WHEREAS it is intended to add 16 Jarvis Street to the improvement area and to more particularly show the improvement area by means of a plan attached thereto showing the boundaries of the area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

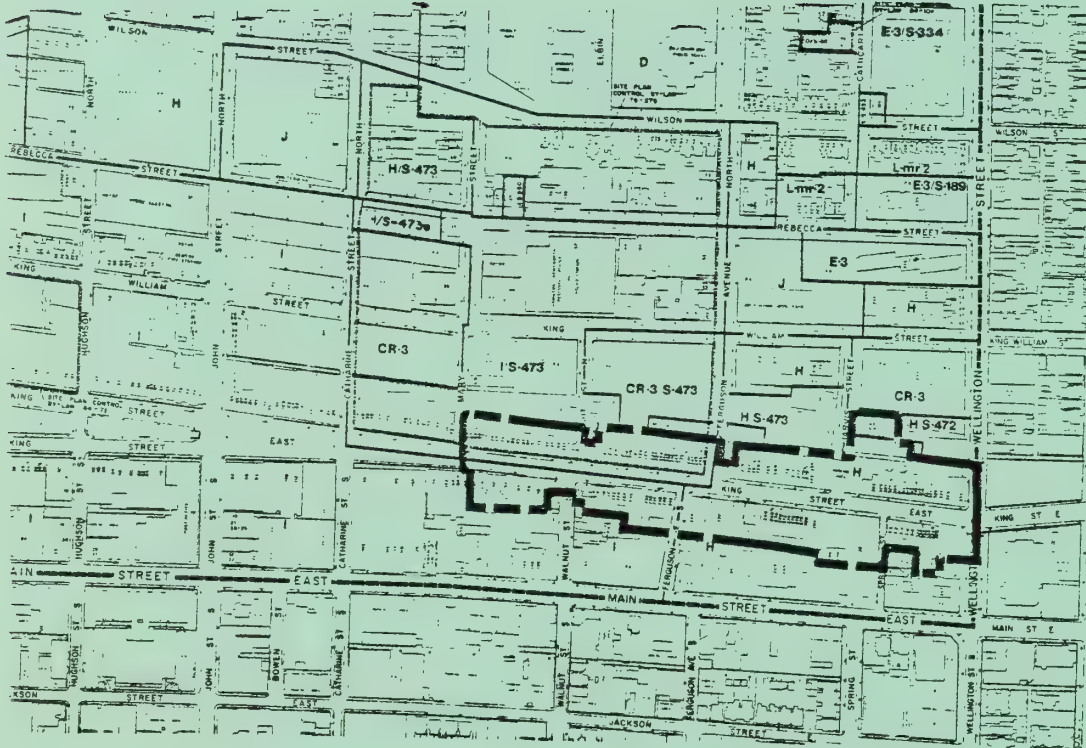
1. Section 1 of By-law No. 76-19, passed on the 27th day of January, 1976, is amended by inserting after "Street" in the second line, "shown on a plan hereto annexed as Schedule "A",".

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 12 R.P.D.C. 12, June 24



This is Schedule _____ to By-law No. _____, passed on the
 day of _____ 19____.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

A Board of Management

For:

**THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA
GENERALLY COVERING BOTH SIDES OF KING STREET EAST
BETWEEN MARY STREET AND WELLINGTON STREET**

WHEREAS By-law No. 76-19, passed on the 27th day of January, 1976, as amended by By-law No. 86- designated as an Improvement Area the area aforesaid and more particularly shown on Schedule "A" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an Improvement Area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Board of Management for the Improvement Area designated by By-law No. 76-19 is continued.
2. The Board of Management shall be composed of,

- (a) members of council who are the Ward Aldermen in which the Improvement Area is located and whose names are set out in Schedule "A" hereto annexed;
- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

3. (1) The Board of Management continues to be and is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the Improvement Area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the Improvement Area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

4. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

PASSED this

day of

A.D. 1986.

City Clerk,

Mayor

(1986) 12 R.P.D.C. 12, June 24

SCHEDULE "A"

To By-law No. 86-

1. Alderman W. M. McCulloch.
2. Alderman V. J. Agro.

SCHEDULE "B"

To By-law No. 86-

- | | | |
|----|------------------------------------|-------------------------------------|
| 1. | Gord Thompson,
Chairman | G.W. Thompson Jeweller & Pawnbroker |
| 2. | Mary Bowden,
Vice-Chairman | Book Villa |
| 3. | Ruth Rehak,
Secretary-Treasurer | Rehak Pastry & Coffee Shop |
| 4. | Dino Dedesco | Venetian Jewellers |
| 5. | Maria Petrou | Jim's Leather Goods |
| 6. | Gary Frydman | New York Boutique |
| 7. | Austin Murray | Denningers |
| 8. | Solly Adler | Solly's Men's Shop & Formal Rental |

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Procedural By-law No. 82-203

Respecting:

THE ACTING MAYOR

WHEREAS By-law No. 82-203, passed on the 28th day of September, 1982, as amended by By-law No. 86-94, passed on the 11th day of March, 1986, provided for the Mayor to be Chairman of Council as well as Chairman of the Committee of the Whole;

AND WHEREAS it is desirable that the Acting Mayor shall be Chairman of the Committee of the Whole.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 6 of By-law No. 82-203, as enacted by section 2 of By-law No. 86-94, is repealed and the following substituted therefor:

6. (1) The Mayor shall be Chairperson of Council.

(2) Where the Mayor is not in attendance at a meeting of Council, the Acting Mayor as appointed shall preside until the arrival of the Mayor.

(3) When Council moves to Committee of the Whole, the Chair shall be assumed by the Alderman serving as Acting Mayor.

(4) When the acting Mayor is serving in place of the Mayor, the Chair when Council moves into Committee of the Whole, shall be assumed by the Alderman in attendance who last served as Acting Mayor.

PASSED this day of A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

THE UNDERTAKING OF GORE PARK RELATED IMPROVEMENTS
TO THE DOWNTOWN ACTION PLAN PHASE III-B

WHEREAS the Ontario Municipal Board, by Order dated the 7th day of May, 1986 (File No. E 860111), approved,

- (a) the undertaking of a project under the Commercial Area Improvement Program consisting of work as described in Schedule "A" hereto, annexed and signed by the Secretary at an estimated cost of \$1,300,000.00 and the borrowing of money by way of temporary advances not exceeding in the aggregate \$1,300,000.00 pending the sale of debentures, and the receipt of monies under clause (c), payable out of the general rate, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation, and
- (c) the entering by the applicant corporation into an agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs in accordance with the draft agreement filed with the Board on the 7th day of March, 1986, and identified by the Secretary's signature for the provision of a loan of \$266,667.00 for the Commercial Area Improvement Program repayable over a term of ten years, payable out of the general rate.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as Gore Park Area Related Improvements to the Downtown Hamilton Action Plan, Phase III-B may now proceed in accordance with the Ontario Municipal Board Order dated the 7th day of May, 1986, (File No. E 860111).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1986.

City Clerk

Mayor

(1986) 2 R.P.D.C. 14, January 14
(1986) 4 R.P.D.C. 12(iv), February 11
(1986) 5 R.F.C. 3(a,b), February 11

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~~mat~~ A31

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



Mrs. Kit Darling
Hamilton Public Library

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 July 22
7:30 o'clock p.m.
Council Chambers, City Hall

A G E N D A

1. Prayer - Canon Ralph Price, Rector of
St. John's Anglican Church
2. Presentations:

Ms. Janet Garbella, Winner of the Hamilton Region Body Building
Championships - Presentation of a Plaque
3. Proclamation - "Great Lakes Week"
4. Minutes of the Meeting held 1986 June 24
5. Correspondence
 - (a) Letter from Milligan & Cass, Barristers and Solicitors,
dated 1986 July 17
Re: Proposed road closure and sale of Gosford Drive
 - (b) Letter from Ontario Legislative Committee, Canadian Railway
Labour Association dated 1986 July 17
Re: Cabooselless Freight Trains in Canada
6. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (B) Transport and Environment Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (E) Legislation Committee
 - (F) Personnel Committee
 - (G) Finance Committee
 - (H) The Hamilton-Scourge Project
7. Notices of Motion for next meeting

8. First reading of the Bills
9. Second reading of the Bills - Committee of the Whole
10. Third reading of the Bills
11. Question period
12. Adjournment.

MINUTES OF THE MEETING
HELD
1986 JUNE 24

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JUNE 24, 1986
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling,
Murray, Ross.

ABSENT: Alderman Agro (City Business)
Alderman Smith

Mayor Robert M. Morrow called the meeting to order. The following presentations then took place.

- (a) Mayor R. Morrow presented a City of Hamilton flag to the Argyll and Sutherland Highlanders Pipe and Drum Corps. This Corps will be representing the City at the Military Festival in Edinburgh, Scotland, August 1986.
- (b) A Certificate of Appreciation was presented to Mr. Peter C. Douglas, Past President of the Hamilton & District Labour Council, in appreciation of his contribution to Labour in the Community.
- (c) A Certificate of Recognition was presented to Mr. Jim Lupton who will be the official representative of the City in the Queen's Message Relay which is being held in connection with the up-coming Commonwealth Games.
- (d) Mayor R. Morrow presented Mr. Stephen Jacobs with a Certificate in recognition of his outstanding accomplishments in the Hamilton and District Science Engineering Fair, and the International Science and Engineering Fair held in Fort Worth, Texas.
- (e) Mayor R. Morrow officially welcomed to the City of Hamilton the Mountain Star Gymnastics Club, represented by Mr. Bill Young.
- (f) Mr. Tibor Sereg, representing the Knights of Alhambra Caravan, presented a figurine to Mayor R. Morrow in appreciation for May 3, 1986, being declared "Alhambra Day in Hamilton".

Father Gus Smith, St. Mary's Roman Catholic Church, led the Council in prayer.

The minutes of the meeting of May 27, 1986, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Marilyn Dagostino, 12 Brucedale Ave. West, Hamilton, Ontario, for a change in zoning, property located at 461 Upper Wentworth Street, dated May 28, 1986.
2. Application from Ward Campbell, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located on the east side of Fiona Crescent and south of the proposed Mountain Freeway, dated May 30, 1986.
3. Application from Robert Leggatt, Roseland Motors Limited, 888 Guelph Line, Burlington, Ontario, for a change in zoning, property located at the north-west corner of Limeridge Road East and Upper Gage Avenue, dated May 30, 1986.
4. Application from Costantino Construction Ltd., 65 Stoneybrook Drive, Stoney Creek, Ontario, for further modifications to Zoning District regulations for property located on the west side of Mall Road in the area south of Mohawk Road East, dated June 2, 1986.
5. Application from Ritlyn Investments Limited, 136 Wilson Street, Hamilton, Ontario, for a change in zoning, property located at 234 Queen Street South, dated June 2, 1986.
6. Application from 417208 Ontario Limited, O/A Genesee Tavern, 468 James Street North, Hamilton, Ontario, for a change in zoning, property located at Nos. 468, 474 and 476 James Street North and Nos. 13 and 15 Ferrie Street East, dated June 2, 1986.
7. Application from Frank Agostino, 52 St. Matthew's Avenue, Hamilton, Ontario, for a change in zoning, property located at 678 Upper James Street, dated June 4, 1986.
8. Application from Jeffrey S. Hughes, 372 Franklin Road, Hamilton, Ontario, for a change in zoning, property located at 203 Homewood Avenue, dated June 4, 1986.
9. Application from Emilia Orlicki, 97 Greeningdon Drive, Hamilton, Ontario, for a change in zoning, property located at 236 Stonechurch Road West, dated June 4, 1986.
10. Application from Angelo Forte and Ada Forte, 162 Parkdale Ave. North, Hamilton, Ontario, for a change in zoning, property located at 425 Melvin Avenue, dated June 6, 1986.
11. Application from 577943 Ontario Limited, (Dr. Charles Balaban, President), 5 Marisa Court, Willowdale, Ontario, for a change in zoning, property located at 55-59 Rymal Road East, dated June 9, 1986.
12. Application from Freure Homes Limited, 501 Krug Street, Kitchener, Ontario, for a change in zoning, property located at 101 Broadway Avenue, dated June 11, 1986.
13. Application from Seid M. Hashemi, 322 Brookview Court, Ancaster, Ontario, for a change in zoning, property located at 640 Upper James Street, dated June 17, 1986.
14. Letter of appreciation from McQuesten Community Association, 48A Parkdale Ave. North, Hamilton, Ontario, for grant to support Community House project, dated May 28, 1986. NOTED.

15. Application from George Sinclair Construction Inc., 125 Gailmont Drive, Hamilton, Ontario, for a change in zoning, property located at 179 Pottruff Road and 6 Orphir Road, dated June 20, 1986.
16. Application from Mrs. Katherine McNally, 189 Mount Albion Road, Hamilton, Ontario, for a change in zoning, property located at Part of Lot 31, Concession 3, dated June 20, 1986.

Rule No. 8 of Procedural By-law 82-203 was invoked for this meeting of City Council in order to permit consideration of the following resolution moved by Alderman Murray and seconded by Alderman Collins:

That City Council reaffirm its previously stated position to support Municipal Non-Profit Housing.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

- That Bill No. D-19 be now read a third time, signed, sealed and enrolled as a By-law and numbered 86-185.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

Bill No. D-19 was then read a third time.

It was moved by Alderman Wheeler, seconded by Alderman Collins, and carried, that Council move into Committee of the Whole to consider the following Reports with Alderman P. Cowell, Acting Mayor, in the chair:

(A) EXECUTIVE COMMITTEE - FIFTEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Kiss. - 1. CARRIED.

It was moved by Alderman Valeriano and seconded by Alderman Hinkley:

That Section 8 be referred back. - CARRIED.

Recorded vote on Section 16:

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling. - 10.

NAYS: Aldermen Kiss, Hinkley, Copps, Murray. - 4. CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Murray:

That Section 3 be amended by deleting the figure of "\$10,000." in the first line of Subsection (g) and substituting in lieu thereof the figure "\$6,400." and, further, by deleting Subsection (h) in its entirety. - CARRIED.

Recorded vote on Section 46.

YEAS: Aldermen Cooke, McCulloch, Copps, Christopherson, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Valeriano, Hinkley, Collins. - 5. CARRIED.

Recorded vote on Section 60.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Copps, Christopherson, Collins, Wheeler, Merling, Ross. - 10.

NAYS: Alderman Hinkley. - 1. CARRIED.

It was moved by Alderman Merling and seconded by Alderman Gallagher:

That Section 63 be referred back. - CARRIED.

Recorded vote on Section 70.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT.

(C) PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT.

With respect to Section 1 Alderman V. Agro, by letter dated June 19, 1986, declared an interest in Philip Enterprises. Alderman Agro has been hired as a Consultant for this Company's Employee Benefit Plan.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Alderman Copps. - 1. CARRIED.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Collins, Wheeler, Cowell, Gallagher, Ross. - 11.

NAYS: Alderman Murray. - 1. CARRIED.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Murray. - 10.

NAYS: Aldermen Cooke, Kiss, Copps, Merling, Ross. - 5. CARRIED.

It was moved by Alderman Murray and seconded by Alderman Gallagher:

That Section 7 be amended by deleting the words "leasing of the" immediately before the word "operation" in the third line, and by adding the word "revised" immediately after the word "vendor's" in the fifth line and, further, by deleting the "NOTE" in its entirety and substituting in lieu thereof the following:

NOTE: Only proposal received. The above amounts are to be paid regardless of whether persons other than the Concessionaire are allowed to sell items in direct competition with the Concessionaire during the Festivals referred to in the proposal. - CARRIED.

Recorded vote on Section 10.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Kiss. - 1. CARRIED.

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Murray and seconded by Alderman Gallagher:

That Section 19 be amended by adding the following:

"and subject to the City's standard Indemnification Agreement." - CARRIED.

Recorded vote on Section 19, as amended:

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Valeriano, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Hinkley. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That Section 21 be referred back.

YEAS: Aldermen Valeriano, Copps, Christopherson, Collins, Wheeler. - 5.

NAYS: Mayor Morrow; Aldermen Kiss, McCulloch, Cowell, Gallagher, Merling, Murray, Ross. - 8. LOST.

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Valeriano, Copps, Christopherson, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Collins, Wheeler. - 2. CARRIED.

Rule No. 8 of Procedural By-law 82-203 was invoked for this meeting of City Council in order to consider a resolution moved by Alderman Murray and seconded by Alderman Ross to add Section 25.

"25. (a) That pursuant to the policy adopted by City Council on 1986 May 13, respecting playground equipment, the following amounts for the purchase of traditional playground equipment be approved.

(i) Arcade Park - \$5,000.

(ii) Holy Rosary School - \$5,000.

- (b) That the \$10,000. be financed from the 5% Parks Dedication Reserve (Acquisition of Land Under the Planning Act - Account No. 0280-11).

NOTE: For the information of the members of City Council, on 1986 May 13, City Council approved a policy wherein an initial start up fund in the amount of \$5,000. will be provided towards the purchase of playground equipment where a reasonable request is made by the residents." - CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT.

(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman McCulloch:

That Section 3 be referred back and that City Council require the Applicant to provide the Planning and Development Committee with an Economic/Marketing Impact Study and that the Committee reconsider this Application in light of the results of this Study.

YEAS: Aldermen McCulloch, Copps, Christopherson, Gallagher. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Wheeler, Cowell, Merling, Ross. - 10. LOST.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Wheeler, Cowell, Merling, Ross. - 10.

NAYS: Aldermen McCulloch, Copps, Christopherson, Gallagher. - 4.
CARRIED.

It was moved by Alderman Ross and seconded by Alderman Merling:

That Appendix "F" of Item 7, outlining the new Cash-in Lieu of Parking Policy, be replaced with the attached policy, as approved by the Planning and Development Committee at its meeting held June 11, 1986. -

NOTE: Appendix "F", as printed in the Council agenda, does not contain amendments made by the Planning and Development Committee at its meeting held on June 11, 1986. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Merling:

That Subsection (a) of Section 9 be amended by adding the following, after the word "Committee" in the third line:

"or in his or her absence, the other word Alderman." -

CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman Wheeler and seconded by Alderman Gallagher:

That Subsection (3) of Section 5 of Procedural By-law 82-203 be suspended for this meeting of City Council in order to permit this meeting to continue after 11:00 o'clock, p.m.

(D) LEGISLATION COMMITTEE - TENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Wheeler:

That Subsection (d) of Section 9 be deleted. - CARRIED.

It was moved by Alderman Christopherson and seconded by Alderman Copps:

That Section 13 be tabled until such time as the three member panel submits its report on Council Members' remuneration. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That Section 15, amended by deleting the name "R. Wheeler" and substituting in lieu thereof the name "W. M. McCulloch." - CARRIED.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 18. Alderman Ross advised that he terminated his Real Estate business earlier this year.

Rule No. 8 of Procedural By-law 82-203 was invoked for this meeting of City Council in order to consider a resolution moved by Mayor Morrow and seconded by Alderman Ross to add Section 22.

"22. That the following challenge of the Mayor of Regina be accepted:

'That the City having the fewer fans attending its first 1986 C.F.L. League home game fly the flag of the City which has the greater number of fans in attendance.'" - CARRIED.

(E) LEGISLATION COMMITTEE - ELEVENTH REPORT.

(F) PERSONNEL COMMITTEE - NINTH REPORT.

It was moved by Alderman Kiss and seconded by Alderman Valeriano:

That Section 5 be amended by deleting the date "July 1, 1987" in the section and inserting in lieu thereof the date "October 1, 1986." - CARRIED.

(G) FINANCE COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Merling:

That Section 3 be referred back. - CARRIED.

It was moved by Alderman Hinkley and seconded by Alderman Copps:

That Section 4 be referred back.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Valeriano, Copps, Collins, Gallagher, Merling. - 6.

NAYS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Wheeler, Cowell, Ross. - 7. LOST.

It was moved by Alderman Valeriano and seconded by Alderman Cooke:

That Section 7 be referred back. - CARRIED.

It was moved by Alderman Gallagher and seconded by Alderman Merling:

That Section 11 be referred back. - LOST.

Recorded vote on Section 11:

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Ross. - 13.

NAYS: Alderman Kiss. - 1. CARRIED.

(H) CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT.

(I) HIS WORSHIP MAYOR ROBERT M. MORROW - SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Ross. - 10.

NAYS: Aldermen Wheeler, Cowell, Gallagher. - 3. CARRIED.

(J) SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT.

It was moved by Alderman Collins and seconded by Alderman Wheeler:

That the First Report be referred back. - CARRIED.

Rule No. 8 of Procedural By-law was invoked for this meeting of City Council in order to consider the following resolution which was moved by Alderman Hinkley and seconded by Alderman Collins:

"That City Council request the Hamilton-Wentworth Regional Board of Commissioners of Police to reinstate the testing and licensing of boaters in Hamilton Harbour to help contribute to the safe operation of boats and increase knowledge of the rules of the waterways." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

"That Alderman T. Murray be appointed Acting Mayor for the month of July, 1986." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins"

"That the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Cowell:

That the following Bills be now read a first time:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91,
D-92, D-93,
E-11, E-12,
G-23. - CARRIED.

The Bills were then read a first time.

It was moved by Alderman Wheeler, seconded by Alderman Collins, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman P. Cowell, Acting Mayor, in the chair:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91,
D-92, D-93,
E-11, E-12,
G-23.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That the Report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That the following Bills be now read a third time:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-86, D-86, D-88, D-89, D-90, D-91, D-92,
D-93,
E-11, E-12,
G-23. - CARRIED.

The Bills were then read a third time.

Following a brief question period City Council adjourned on Wednesday, June 25, 1986, at 12:55 o'clock, a.m.

C O R R E S P O N D E N C E

JUL 17 1986

Milligan & Cass

BARRISTERS AND SOLICITORS

DONALD J. MILLIGAN, Q.C.
PETER H. CASS, LL.B.
SHELLEY LANCASTER, LL.B.

720 GUELPH LINE, SUITE 303
BURLINGTON, ONTARIO
L7R 4E2
(416) 632-7744

July 17, 1986

DELIVERED

The Mayor and Members of
Hamilton City Council
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sirs:

Re: Proposed road closure, Gosford Drive from
Upper Paradise Road to Gilcrest Street,
Gurnett Neighbourhood

On Monday, July 14th, the writer and Mr. N. B. Welch, an officer of Gurnland Development Inc., attended before the Transport and Environment Committee.

Under previous correspondence dated October 3, 1985, a copy of which is enclosed, I wrote to Mr. H.O. Schweinbenz, Commissioner of Transportation and Services, and requested that certain lands (being a temporary access road) that had been included within our plan of subdivision registered in 1976, be returned to my client for reasons stated in the letter. Mr. Schweinbenz has approved this request to the committee. However, the city's Legal Department has objected to the property being reconveyed to the developer on two grounds:

- a) that a reconveyance at less than market value would constitute "a bonus" to the developer; and
- b) that Lorken Holdings Limited, the original subdivider, did not have any "understanding" or other agreement with the city that it could re-acquire the lands for nominal consideration.

Might I comment briefly in reply to the above:

a) Neither I nor my clients understand how the return of the lands without charge can be "a bonus" when:

(i) my clients have agreed to include these lands, if obtained, at no additional cost to the purchaser, and

(ii) my clients had already purchased these lands in 1972 and, with interest, have already paid for them once at \$65,000.00 per acre and should not have to buy them again from you.

b) With respect to your Legal Department's second point that there was no "understanding" or other agreement, I cannot understand what the purpose of staff is, if the simple honest agreement confirmed by Mr. Schweinbenz will not be honoured.

In summary, for both legal and moral reasons, my clients' request is completely reasonable and deserves favourable treatment.

Yours sincerely,



DONALD J. MILLIGAN
for the firm
DJM:d

Enclosure: Copy of our letter of October 3, 1985
to Mr. Schweinbenz

1002 27 1985

FOR YOUR INFORMATION
THIS IS A COPY OF
CURRENT CORRESPONDENCE
MILLIGAN & CASS

Milligan & Cass

BARRISTERS AND SOLICITORS

DONALD J. MILLIGAN, Q.C.
PETER H. CASS, LL.B.
SHELLEY LANCASTER, LL.B.

720 GUELPH LINE, SUITE 303
BURLINGTON, ONTARIO
L7R 4E2
(416) 632-7744

October 3rd, 1985

Mr. H. O. Schweinbenz
Commissioner of Transportation
and Services
Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

Re: Gurnett Estates - Plan M-210,
Hamilton

Please be advised that we are solicitors for Gurnland Development Inc., the successor of Lorken Holdings Limited, the developer of Plan M-210.

When our client's plan was registered, Lorken provided a temporary access road off Upper Paradise Road to the Gurnett neighbourhood known as Gosford Drive for the common use of all the developers in the neighbourhood. When these lands were provided, it was on the understanding that the access road would later be closed and the lands would revert back to Lorken. The road did not conform to the original proposed neighbourhood plan because it was too close to the proposed freeway.

A draft plan of Gurnett Estates - Phase III has now been submitted to, and approved by, your Development Committee. Contemporaneous with my client's intended development is the development of a neighbouring plan, Roma Gardens, being submitted by A. J. Clarke & Associates on behalf of Di Cenzo Construction Company Limited.

Your review of the intended development by Roma Gardens will show that that subdivision has its own access onto Upper Paradise, with connecting roads into our Gurnett Phase III. These new accesses make the need for the Gosford Drive temporary access no longer necessary.

Please consider this letter, therefore, a formal request to the City that the proper application for the road closing of Gosford Drive be instituted by your department as soon as possible. The adjoining landowner is the City of Hamilton by virtue of its one foot reserve and it is therefore the intention of Gurnland to reacquire the property for the nominal sum of \$1.00, pursuant to an earlier agreement made with the City at the time that our client provided the land in the first instance for the temporary road, all of which is noted under my earlier correspondence of June 20th, 1985 to the City Solicitor's Department. We do understand that Gosford must remain open until the new road patterns are established. Since we believe that Roma Gardens will be registered next spring, we would ask that the preliminary work to be done to have the application instituted be started now since the reconveyance of this property is necessary as part of the intended plan of my client.

I would ask for your cooperation in expediting this request. If you have any questions with respect to the same, would you kindly contact either myself or Mr. Welch whose address and phone number are noted below.

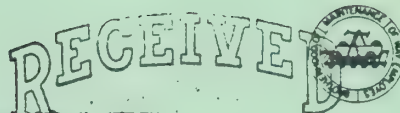
Yours very truly,

DONALD J. MILLIGAN
for the firm.

DJM:vc

cc: Mr. N. B. Welch
174 North Shore Blvd. E.
Burlington, Ontario
L7T 1W4

637-5895



ONTARIO LEGISLATIVE COMMITTEE
CANADIAN RAILWAY
LABOUR ASSOCIATION

JUL 17 1986
CITY CLERKS

UNITED TRANSPORTATION
UNION

BROTHERHOOD OF
LOCOMOTIVE ENGINEERS

BROTHERHOOD OF
MAINTENANCE OF WAY EMPLOYEES

C. W. Carew
CHAIRMAN
486 N. Christina St.
Sarnia, Ont.
N7T 5W4
(519) 336-8222

W. W. Watson
VICE-CHAIRMAN
89 Bainbridge St.
Sault Ste. Marie, Ont.
P6C 2H1
(705) 253-6781

P. J. Lemenchick
SECRETARY-TREASURER
9 Elmsley Crescent
Nepean, Ontario
K2H 6T9
(613) 828-1173

July 11, 1986

Honorable Mayors,
Regional Municipalities and Counties,
Province Of Ontario

Dear Sir/Madame:

The Ontario Legislative Committee, Canadian Railway Labour Association, representative of 14,000 Railway Workers in Ontario, wishes to bring to your attention, an area of grave concern to the membership we represent, and to the Communities in which you reside; that is, the proposed operation of Caboosless Freight Trains in Canada.

As you are probably aware, there has been a period of testing of the End of Train Information System (ETIS). It is expected that Public Hearings will be announced shortly. If the Railway's wishes are abided by, there would be only one public hearing, and that, as soon as possible. We believe that public hearings should be held in convenient locations across the country, to allow for input from all interested groups.

If you perceive the proposed removal of freight train cabooses as an erosion of safety, as we do, please write to the Honorable John Crosbie, Minister of Transport, and the Secretary of the Railway Transport Committee, to call for Public Hearings across the country.

You should be receiving more background information from the Ottawa office of the United Transportation Union, which should be most helpful in making your decision to support this extremely important fight to retain cabooses.

If you require further information, please contact the undersigned.

Sincerely,

for: Dennis J. Schmitt
C.W. Carew, Chairman

DJS/r1

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SIXTEENTH Report for 1986 and respectfully recommends:

1. That payment of the account of Denron Restoration & Contracting Ltd. in the amount of \$15 744.01 for services rendered in connection with repairs to stairways and retaining walls at Ivor Wynne Stadium be approved and charged to account No. 0408-C3625.

NOTE: In approving the Capital Budget, City Council approved of undertaking certain repairs to Ivor Wynne Stadium, namely repairs to stairways and retaining walls along the south stands. The stairs and wall could be classified as a hazardous condition and in order to maintain safety and not interrupt programming at the stadium, had to be repaired.

Denron Restoration and Contracting Ltd. experts in this field were requested to carry out the repairs on a cost plus basis. The extent of the actual repairs required was not known until such time as Denron "opened" the stairways to reveal the problems.

The work has now been completed under the supervision of the Property and Maintenance Division of the Real Estate Department.

2. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to purchase land for a fire station at Stone Church Road and Upper Wellington at a gross cost of \$160 000, with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years, recoverable from the mill rate levied on all rateable property and further that application to made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$160 000 for a term not to exceed 15 years.

NOTE: Section 3 of the Tenth Report of the Personnel Committee makes reference to this project and requests the Committee to recommend the amount and source of funds to be provided for this Capital Project.

3. That the installation of poles, luminaires and electrical outlets in the Westdale Business Improvement Area, as approved by City Council on June 24, 1986, with the adoption Item 11 of the Twelfth Report of the Planning and Development Committee, in the amount of \$5 000 be financed from the 1986 Unallocated Capital Levy Account Number 0376-0298.

4. That the acquisition cost of the former Bank of Montreal Building at Main and James Street, in the amount of \$1 000 000 be financed from the Reserve for Property Purchases, Account No. 0280-02, as a commitment on the available funds in this Reserve, since the earliest this payment will be required is July 31, 1987.

NOTE: Section 31 of the Fourteenth Report of the Planning and Development Committee makes reference to this project and requests the Committee to recommend the amount and source of funds to be provided.

5. (a) That a budget of \$13 247, with the City's portion of the budget to be \$8 000 be approved for the City's hosting of a Free Trade Forum to be held at The Hamilton Convention Centre on Saturday, 1986 October 18.
- (b) That the Finance Committee be requested to recommend the method of financing this cost.
- (c) That the appropriate staff be authorized to apply for a FUTURES grant from the Ontario Ministry of Skills Department to hire a person to assist the Committee organizers for the Free Trade Forum with registrations, phone follow-ups and other associated tasks.

NOTE: Previously forwarded to the members of City Council were copies of a proposed budget and program for the Free Trade Forum.

With the adoption of Section 1 of the Eighth Report of the Executive Committee City Council at its meeting on March 25, 1986 approved the hosting of this Forum.

6. (a) That the original project name "MacNab Street Bridge over C.N. Rail Condition Survey Repair Structure" in the Capital Budget be changed to "MacNab Street and Mary Street Bridges over C.N. Rail and Parkdale Avenue Bridge over Lawrence Road - Repair Costs".
- (b) That the cost of repairing the MacNab Street and Mary Street Bridges over C.N. Rail and Parkdale Avenue Bridge over Lawrence Road at an estimated cost of \$135 000 less anticipated Roadway Subsidy of \$55 000 be financed from the 1986 Capital Levy Account No. 0376-0298.

NOTE: Section 31 of the Fourteenth Report of the Transport and Environment Committee makes reference to project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

7. (a) That as a result of the Executive Committee assuming responsibility for the Capital Budget, the Capital Budget Committee being a sub-committee of the Finance Committee, be disbanded; and
(b) That the Executive Committee assume directly the duties and responsibilities formerly performed by the Capital Budget Committee.
8. Attached for the information of the members of City Council, as Schedule "A" is a copy of a summary of Capital Projects in Progress as at June 30, 1986.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee.

9. That the cost of constructing the Pedestrian Bridge for the Interpretive Centre for the Hamilton Scourge Project at a gross cost of \$50 000 be financed from the Reserve for Capital Projects Account No. 0280-27.

NOTE: The Special Committee to Administer the Hamilton-Scourge Project makes reference to this project in its Second Report to City Council and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

10. That the cost to retain consultants for the new West Mountain Twin Arena at a gross cost of \$185 000 be financed from the Reserve for Capital Projects, Account No. 0280-27 on an interim basis pending Ontario Municipal Board approval in 1987.

NOTE: Section 18 of the Seventeenth Report of the Parks and Recreation Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

11. RECOMMENDATION ON STANDING COMMITTEE REPORT:

The Executive Committee respectfully recommends that Item 2 of the Sixteenth Report of the Parks and Recreation Committee dealing with the appointment of Consultants for the New Crystal Palace Project be referred back to the Parks and Recreation Committee with the request that the Chairman of the New Crystal Palace Committee and City Treasurer be invited to attend its meeting to discuss this matter.

NOTE: For the information of the members of City Council, this project is included in the 1987 portion of the 1986-1990 Capital Budgets Program.

12. That leave be granted to introduce the following bill:

- (a) Bill A-15 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1986 July 17
att.

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at June 30, 1986

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(1-50)									
General Administration									
1	Energy Conservation Program - 1983	07/83	12/86	200	167	33	Yes	Yes	Yes
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	12/86	100	-	60	No	Yes	Yes
3	Energy Conservation Projects - City Hall	06/84	07/87	600	1	599	No	Yes	Yes
4	Capital Construction Grant - General Hospital	10/85	08/86	800	797	3	Yes	Yes	Yes
5	Major Maintenance to Civic Buildings	05/85	07/86	200	200	0	Yes	Yes	Yes
6	Major Maintenance to Civic Buildings	05/86	12/87	200	102	98	Yes	Yes	Yes
7	Treasury Department - Purchase of IBM 4381 Computer	1986	1986	1,500			No		
8	Capital Construction Grant - Hamilton Society for the Prevention of Cruelty to Animals	1986	1989	149		149	Yes	Yes	Yes
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	1986	1990	550			No		
10	Handicapped Access to Recreational Buildings	09/86	12/87	100		100	Yes	Yes	Yes
11	Energy Conservation Projects	05/86	12/86	50		50	Yes	Yes	Yes
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	12/86	564	27	537	Yes	Yes	Yes
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/86	88		88	Yes	Yes	Yes
(51-100)									
Protection to Persons & Property									
51	Construction of Fire Station Quigley and Albright Road	07/84	08/86	840	707	133	Yes	Yes	Yes
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/86	09/87	960	54	966	Yes	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)									
as at June 30, 1986									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Yes or No (9)	
(51-100) Protection to Persons & Property - Continued									
53	Fire Stn. E. Mountain & Limeridge/ Vehicle Purchase	06/86	06/87	200		200	Yes	Yes	
54	Fire Stn. - Stone Church Road & Upper Wellington/Land Acquisition	1986	1986	160			No		
(101-150) Department of Transportation									
101	C.N.R. Culvert - Lancing Drive Extension	1986	1987	120			No		
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	280		280	Yes	Yes	
103	Road Access - Riverdale East Neighbourhood	08/86	11/86	377		377	Yes	Yes	
104	McNab Street Bridge over C.N. Rail	1986	1987	196		196	Yes	Yes	
105	Windmere Basin - Clean Up	1986	1987	750			No		
106	Roxborough Avenue Reconstruction	1986	1986	390		390	Yes	Yes	
(201-250) Parking Authority									
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No		Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities	09/85	12/86	590	107	483	Yes	Yes	
203	Parking Facility in Southeast Quadrant	1986	1986	800			No		

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)									
as at June 30, 1986									
Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Yes or No Budget (9)	
(251-300)	Department of Public Works								
251	Replacement of Wentworth Street Steps - Lower Section	10/85	09/86	230	159	71	Yes	Yes	Yes
252	Addition/Alterations to Yard Bldg. Ferguson Ave. N. Dist. Yard #2	11/85	06/86	125	115	10	Yes	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	08/86	293	251	42	Yes	Yes	Yes
254	Replacement of James Street Steps	05/86	05/87	300		300	Yes	Yes	Yes
255	Construction of Salt Dome - Chedoke	05/86	11/86	131		131	Yes	Yes	Yes
256	Centralized Computer Fuel System	05/86	12/86	300		300	Yes	Yes	Yes
257	Water Course Drop Structure	05/86	10/86	70		70	Yes	Yes	Yes
(301-350)	Department of Culture & Recreation								
301	Replacement of Ice Making System - Coronation Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
302	Parkland Acquisition Programme	01/85	12/87	500	1	499	Yes	Yes	Yes
303	Replacement of Ice Making System - Inch Park Arena	10/85	06/86	900	666	234	Yes	Yes	Yes
304	Replacement of Ice Making System - Parkdale Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
305	Capital Grant - McMaster University - Resurfacing Track	11/85	06/86	100	100	-	Yes	Yes	Yes
306	Replacement of Ice Making System - Eastwood Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
307	Bikepaths (Phase 1)	1986	1986	330		330	Yes	Yes	Yes
308	Replacement of Ice Making System - Scott Park Arena	1986	1986	600	33	567	Yes	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at June 30, 1986

Item No.	Project Description (1)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No	
							Construction (8)	Budget (9)
(351-400) Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/87	1,275	555	720	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	07/86	625	354	271	Yes	Yes
353	Mohawk Sports Park Stage IV	10/82	12/86	550	230	320	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	07/86	150	137	13	Yes	Yes
355	Mohawk Sports Park (Stage 5)	08/85	04/87	650	9	641	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	12/86	86		86	Yes	Yes
357	Mohawk Park - Track Facility	1986	1986	300		300	Yes	Yes
358	Mohawk Park - Floodlights	10/86	05/87	120		120	Yes	Yes
359	Waterfront Parks Development - Environmental Study	1986	1986	400		400	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	06/87	200		200	Yes	Yes
361	Halfway House - Chedoke Golf Course	05/86	06/87	50		50	Yes	Yes
(401-450) Victor K. Copps Trade Centre/Arena								
401	Central Utilities Plant - New Equipment	05/85	09/86	316	10	306	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	10/86	40,540	39,239	1,301	Yes	Yes
403	Automated Facilities Management Computer System	1986	1988	297			No	
(451-500) Hamilton & Scourge Project								
451	Hamilton & Scourge Part of Stage 1	1986	1	100			No	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

as at June 30, 1986

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Yes or No Budget (9)
(501-550)	Hamilton & Public Library Board							
501	Kenilworth Branch Renovations	05/86	12/86	404		404	Yes	Yes
502	Main Library Book Hoist Improvements	05/86	11/86	60		60	Yes	Yes
(551-600)	Hamilton Place							
551	Hamilton Place - Great Hall Sound Console	1986	1986	175			No	
(651-700)	Hamilton Convention Centre							
651	Hamilton Convention Centre Furniture & Equipment	1986	1986	62		62	No	
(701-750)	Community Development Department							
701	Downtown Action Plan - Phase III B	07/86	11/86	1,300	241	1,059	Yes	Yes
702	Downtown Action Plan - Phase II	07/85	06/86	1,603	1,579	24	Yes	Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	10/84	3,529	3,521	8	Yes	Yes
704	James St. North Streetscape	1986	1987	1,764		1,764	Yes	Yes
705	Facade Improvement Program	1986	1988	100		100	Yes	Yes

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FOURTEENTH Report for 1986 and respectfully recommends:

1. That the following apartment building(s) be added to the collection of compacted waste service provided by the City of Hamilton, subject to compaction facilities being installed and operational
 - i. 35 Brock Street North (110 units)
 - ii. 600 John Street North (110 units)
2. That whenever sidewalks are being reconstructed within a recognized Business Improvement Area (B.I.A.), in conjunction with the uni-stone boulevard reconstruction:
 - a) That flowers and hanging baskets are also to be provided as part of the upgrading and,
 - b) that this be financed from the reconstruction programme

3. (a) That a purchase order be issued to Marsh Bros. Tractor Inc. Copetown, for the supply and delivery of one (1) 44 HP. Diesel Industrial Tractor for the Central Garage, in the amount of \$14 186.06, including all applicable charges and taxes, including trade-in allowance, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest of four (4) tenders received. Funds provided in account #0280-01.

- (b) That a purchase order be issued to Bryan Farm Supply Ltd., Puslinch, for the supply and delivery of four (4) Four Wheel Drive Diesel Industrial Tractors with attachments and trade-ins for the Central Garage, in the amount of \$86 644.32, including all applicable charges and taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in account #0280-01.

- (c) That a purchase order be issued to Waterford Sand & Gravel Ltd., Waterford, to provide all labour and equipment for Rock Crushing at Brampton Street Public Works Yard at a cost of \$4.60 per tonne, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in account #0350-2619.

- (d) That a purchase order be issued to Equipment Centre Hamilton, Stone Creek for the supply and delivery on One (1) Concrete Saw, One (1) Vibrating Roller and One (1) Vibration Rammer for a total cost of \$22 297., Provincial Sales Tax extra at 7%, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of five (5) tenders received. Funds provided in account #0350-1475/3475/2675.

4. (a) That the City of Hamilton purchase from Ontario Hydro a parcel of land known as part of Lot 10, Concession 8, formerly the township of Barton, now in the City of Hamilton and more particularly described as Part 1, Reference Plan 62R-8101 for the sum of \$5 400 subject to the following conditions in favour of Ontario Hydro. The purchase price is to be charged to account 0280-02.
- i. The applicant will be liable for 100% of the total costs of any necessary revision or relocation of Ontario Hydro plant.
 - ii. The City, at its expense, is to erect a cable barrier along each side of the road allowance. These barriers are to be constructed in accordance with the attached specifications.
 - iii. The applicant must ensure that all construction equipment working on lands maintains a clearance of at least 15 feet to the nearest overhead transmission line conductor, (up to and including 230kV). (Over 230 kV 20 foot clearance must be maintained.) Existing road grade must be maintained.
 - iv. The lands will be deeded for public highway purposes only.
 - v. The applicant, if required, will be responsible for any application and the costs thereof to the Committee of Adjustment or the Land Division Committee and will also be responsible to pay all costs to comply with any conditions thereby imposed.
 - vi. Upon completion of construction, the applicant must satisfactorily restore the subject lands, together with any additional Ontario Hydro lands which may be damaged during construction for this project. In this regard, the applicant will be required to contact R. L. Stephens, Ontario Hydro, 570 Yonge Street, Willowdale, Ontario, M2M 3T7, Telephone: 222-2571, extension 328, to arrange a final inspection of the property.
 - vii. The applicant must, at its expense, construct "curb cuts" of at least 12 feet in length to enable Ontario Hydro vehicles to gain access to its adjacent lands.

viii. The applicant must give two working days notice prior to construction, and in this regard kindly complete and return the attached "Notice of Entry" form. In the event safety supervision is deemed necessary by Ontario Hydro any charges in this regard will be the responsibility of the applicant.

ix. No lighting standards are to be erected on the lands without the prior approval of Ontario Hydro.

NOTE: In order to facilitate the development of lands in the Butler Neighbourhood, the City requires, for roadway and municipal services, a parcel of land owned by Ontario Hydro.

The land required by the City is located 66 metres southerly from Stone Church Road East and will measure 20 metres in width across Ontario Hydro's north/south corridor that is located between Upper Wentworth and Upper Sherman Avenue.

- (b) That an Option to Purchase a parcel of land in the proposed subdivision known as Gurnett Estates, Phase III executed by the owner, DiCenzo Construction Company Limited on June 18th, 1986 and scheduled for closing on or before September 11th, 1986 be approved and completed.

NOTE: This property, which is required by the City for roadway purposes, is an irregular parcel of land having a total area of approximately $2\ 160.66\text{m}^2$ (23 258 square feet). The purchase price of \$1 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (c) That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on May 1st, 1986 by the Purchaser, Gurnland Development Inc. and scheduled for closing on September 11th, 1986 be approved and completed.

NOTE: The property is an irregular parcel of land having a total area of approximately $2\ 160.66\text{m}^2$ (23 258 square feet) that is required for roadway purposes in the proposed subdivision known as Gurnett Estates, Phase III. The purchase price is \$251. A deposit of \$25 is being held by the City Treasurer pending Council approval.

- (d) That an Option to Purchase lands at the rear of Limeridge Road East, for the extension of Leggett Crescent, executed by Carol McAlister on June 13, 1986 and scheduled for closing on September 22, 1986, be approved and completed. Subject lands are being purchased for \$1 and are shown as Part 5 on Plan 62R-4626.

The Vendor acknowledges to the City that the Vendor realizes that the land she retains will:

- i. be bounded on the north side of Part 5 be a 1' Reserve separating her remaining land (Parts 6 and 7) from highways to be established by the City; and
- ii. not qualify for a Building Permit until she pays a share of the services to be installed in the said new highway; and
- iii. be separated from the highway by the said 1' Reserve until payments referred to in ii above are paid.

It is understood and agreed that the Purchaser will place the subject lands in the proposed subdivision known as Gurnett Estates, Phase III and the said lands to be used for roadway purposes will form part of Guildwood Drive. The proposed plan of subdivision is to be registered by November 15th, 1986. If in default, the said Part 1 will be reconveyed to the City of Hamilton immediately following November 15, 1986 for the purchase price of \$1 without interest.

The Purchaser agrees to sign the Deed to him to give effect to the above paragraph.

- (e) That an Option to Purchase a vacant parcel of land abutting Greenhill Avenue at Vienna Street executed by Cochren Construction Co. Limited, and more particularly described as Parts 2, 3 and 4 on Survey Plan Y-20243 prepared by Mackay, Mackay & Peters Ltd., and scheduled for closing on September 10, 1986, be approved and completed.

NOTE: The subject lands are being purchased for the sum of \$1 and are being acquired by the City for roadway purposes.

- (f) That an Offer to Purchase the lands of The Corporation of the City of Hamilton for the sum of \$251, duly executed on June 28, 1986 by the Purchaser, Mel Lawson, and Gordon Lawson Enterprises Ltd. and scheduled for closing on September 10, 1986 be approved and completed.

NOTE: The property is an irregular shaped parcel of vacant land having a frontage along the western limit of Greenhill Avenue, across from Vienna Street and is more particularly known as Parts 2, 3 and 4, Plan Y-20243 prepared by Mackay, Mackay and Peters Ltd. The land is required for roadway purposes and is to be included in the proposed plan of subdivision to be known as Nash Orchard Heights North. A deposit in the sum of \$25 is being held by the City Treasurer pending Council approval of this transaction.

- (g) That an Option to Purchase a vacant parcel of land at the rear of 2420 Barton Street East executed by Frank Frisina on June 6, 1986 and scheduled for closing on or before September 10th, 1986 be approved and completed.

NOTE: This property which is required by the City for roadway purposes is a rectangular parcel of land having a total area of 287 m² (3,089 square feet). The purchase price of \$1.00 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (h) That an Option to Purchase a vacant parcel of land at the rear of 2434 Barton Street East executed by 350714 Ontario Limited (Frank Frisina) on June 6, 1986 and scheduled for closing on or before September 10, 1986 be approved and completed.

NOTE: This property which is required by the City for roadway purposes is a rectangular parcel of land having a total area of 250 m² (2,691 square feet). The purchase price of \$1.00 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (i) That an Offer to Purchase the lands of The Corporation of the City of Hamilton for the sum of \$7 514., duly executed on June 6, 1986 by A. Pompeani Enterprises Ltd., and scheduled for closing on September 10, 1986 be approved and completed.

NOTE: The subject property is composed of lands at the rear of 2418-2444 Barton Street East more particularly described as Parts, 1, 2, 3, 4 and 5 on Reference Plan 62R-8174 that is required for roadway purposes in the plan of subdivision known as Eastgate High. The purchase price is \$7 514. A deposit of \$752.00 is being held by the City Treasurer pending Council approval of this transaction.

In disposing of this property it is understood and agreed that,

1. the Purchaser will place the subject lands in the proposed Plan of Subdivision known as Eastgate High and the said lands will be used for roadway purposes. The proposed plan of subdivision is to be registered by April 15, 1987. If in default the said Parts 1, 2, 3, 4 and 5 will be reconveyed to the City of Hamilton immediately following April 15, 1987 for the original purchase price without interest.
2. a one foot reserve will be established by A. Pompeani Enterprises Ltd., along the northerly boundary of Parts 2, 3, 4 and 5 in order to recover the cost of services. Also a one foot reserve along the southerly boundary of Part 5 that is abutting 183 Centennial Parkway.

3. the sale of the subject lands is conditional on the City of Hamilton completing the purchase of Parts 2 and 3 by the above closing date.
 4. the Purchaser will sign the Deed to him to give affect to paragraphs 1 and 2.
 5. the sale of these lands to the Purchaser is for the construction of a roadway and the said lands may not be used for any other purpose.
-
5. (a) Northbound traffic on Ferndale Avenue be required to stop for eastbound and westbound traffic on Dunkirk Drive; and,
(b) The City Traffic By-law 66-100 be amended accordingly.
 6. (a) That eastbound and westbound stop control be implemented at the intersection of Upper Sherman Avenue and Mountain Park Avenue, such that the intersection will be controlled by a three-way stop; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
 7. (a) That three-way stop control be implemented at the intersection of Magnolia Drive and Daisy Street.
(b) That parking be prohibited on the north side of Magnolia Drive between Daisy Street and Appleford Road; and,
(c) That the City Traffic By-law 66-100 be amended accordingly.
 8. (a) That four-way stop control not be implemented at the intersection of East 18th Street and Brucedale Avenue at this time.
(b) That the City Traffic By-law 66-100 be amended accordingly.
 9. (a) That parking be prohibited on the west side of Angelina Place between Regent Avenue and the southerly end; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
 10. (a) That the existing parking prohibition on the south side of Clare Avenue between Beach Boulevard and the westerly end be switched to the north side of the street; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.

11. (a) That the existing "One Hour Parking Time Limited, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of West 4th Street between Fennell Avenue and Wembley Road be replaced with a "One Hour Parking Time Limited, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation; and,
 - (b) That the existing "One Hour Parking Time Limited, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of West 4th Street between Wembley Road and McElroy Road be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation; and,
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
12. (a) That the existing stopping prohibition on the east side of Belwood Avenue between Alpine Avenue and a point 50 feet southerly be shortened, such that the prohibition extends to a point 38 feet south of Belwood; and,
 - (b) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Belwood Avenue, immediately north of Concession Street, be extended such that the regulation extends to a point 38 feet south of Alpine Avenue; and,
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
13. (a) That the Residential Boulevard Parking Agreement registered as instrument number 368804A.B., to the property at No. 309 Queen Street South be discharged, at the property owners expense; and,
 - (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
14. That the application by Eastgate Variety to lease a portion of the boulevard on Cope Street adjacent to 1505 Main Street East be approved, provided that:
 - i) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100., per year) plus taxes, if any, in addition to the \$10., annual encroachment insurance charge approved by the City Council on 1984 February 14.
 - ii The owner pays a one time \$25., registration fee, as approved by the City Council on 1986 January 14.
 - iii) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.

- iv) The parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v) The owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
15. (a) The Residential Boulevard Parking agreement registered as Instrument No. 169238 C.D. to the property at No. 120 Sanford Avenue South be discharged, at the property owner's expense; and,
- (b) The City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
16. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Terrace Drive, south of South Bend Road East, be lengthened, such that the regulation commences at a point 315 feet south of South Bend Road East and extends to a point 324 feet southerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
17. (a) That parking be prohibited on the east side of MacNab Street North commencing at a point 141 feet north of Cannon Street West and extending to a point 29 feet northerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
18. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first five applicants residing in the apartment building at No. 149 Hess Street South.
19. (a) That Centennial Parkway from 217 feet north of Barton Street to 165 feet south of Arrowsmith Road be designated as a continuous two-way left turn lane; and,
- (b) That Centennial Parkway from 211 feet north of Delawana Drive to 38 feet south of Violet Drive be designated as a continuous two-way left turn land; and,
- (c) That the City Traffic By-law 66-100 be amended accordingly.

20. (a) That a parking prohibition be implemented on the east side of East 28th Street commencing at Fennell Avenue and extending to a point 47 feet northerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
21. That the application of Frank Sandola, Solicitor, on behalf of the owner(s) of 92 Glendale Avenue North, John Durno and Jessie Way, to retain the following inadvertent encroachment consisting of a concrete porch and steps, 2.24 m by 3.05 m, be approved during the pleasure of City Council, provided:
1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set up for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
22. That the application of John J. Dipietro, Solicitor on behalf of the owner(s) of 271 Roxborough Avenue, Lawrence O'Brien and Joseph Collina, to retain the following inadvertent encroachment consisting of 1 1/2 storey brick and aluminum sided building, 2.69 m by 7.19 m be approved during the pleasure of City Council, provided:
1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims, demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
23. That the application of Brock Bedford, Solicitor, on behalf of the owner(s) of 5 Hunt Street North, Edward and Suzanne Anderson, to retain the following inadvertent encroachment consisting of concrete and wood porch and steps, 0.78 m by 3.08 m, be approved during the pleasure of City Council, provided,
1. That the owner(s) enter into an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims, demands, costs, damages, expenses and loss.

2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
24. That the application of Emil Fedak, Solicitor, on behalf of the owner(s) of 26 Ellis Street, Hugh and Rose Goodbrand, to retain the following inadvertent encroachment consisting of 1-1/2 storey frame building, 0.06 m by 1.76 m, and concrete steps, 1.35m by 1.22 m, be approved during the pleasure of City Council, provided:
 1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
25. (a) That "Opera Hamilton" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 August 11 to 1986 August 18, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (b) That "Hadassah-Wizo" organization of Hamilton be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 September 1 to 1986 September 8, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (c) That "Hadassah-Wizo" organization of Hamilton be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 October 19 to 1986 November 2, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (d) That the "Week of the Child for Hamilton-Wentworth" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 October 13 to 1986 October 20, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- 26 (a) That the City Solicitor be authorized to make application to a County Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order closing the public walkway in Lisgar Neighbourhood, from Larch Street to Northgate Drive.
- (b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting property owners under Section 57 of The Surveys Act, R.S.O. 1908; and

- (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed; and
 - (d) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court; and
 - (e) That the applicant prepare and register a reference plan under The Registry Act, the plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed walkway is to be distributed between the abutting owners; and that the applicant deposit a reproducible copy of the plan with the Regional Surveyor; and
 - (f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing pursuant to Section 48 of The "Regional Act".
27. (a) That the Director of Real Estate be authorized and directed to negotiate the acquisition of the four properties known as municipal numbers 324 and 332 Magnolia Drive and 118 and 128 Guildwood Drive in the Fessenden and Gurnett Neighbourhoods on a willing buyer/seller basis.
- (b) That once the properties are acquired, acceptance of this recommendation will further authorize the Real Estate Department to allocate the easterly ten foot flankage of 324 Magnolia Drive and 128 Guildwood Drive, and the westerly ten foot flankage of 332 Magnolia Drive and 118 Guildwood Drive for the construction of a public walkway connecting the Fessenden and Gurnett Neighbourhoods. The remaining properties and residences thereon to be immediately marketed.

NOTE: The 1986 Capital Budget includes an item for the acquisition of properties in the Fessenden and Gurnett Neighbourhoods for the construction of a public walkway to connect these neighbourhoods. The 1986 Current Budget also includes funds to construct the asphalt path, install fences and light the walkway.

28. (a) That the request of Hamilton East Kiwanis Non-Profit Homes Inc., owner of 78 Burlington Street West, to discharge the encroachment agreement for this address, Instrument No. 211087 C.D. registered on 1982 April 2, be approved, subject to the satisfaction of the City Solicitor; and
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.

29. (a) That the limits of reconstruction of the sidewalks and roadway on Oak Avenue from Birge Street to Cannon Street be revised to Barton Street to Cannon Street.
- (b) That the reconstruction of the sidewalks and roadway on Oak Avenue between Barton Street and Birge Street be considered for inclusion on the 1988 Preliminary Reconstruction Program.
30. That the following recommendation regarding the proposed road closure of Gosford Drive from Upper Paradise Road to Gilcrest Street, Gurnett Neighbourhood not be adopted.
- i) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale, for one (1) dollar to the abutting owner Gurnland Development Inc., of Gosford Drive, from Gilcrest Street to 102.263 m easterly pursuant to the Municipal Act R.S.O. 1980.
 - ii) Said By-law to proceed only after the applicant has complied with clauses iv, v, vi, and vii of this recommendation, and an alternate access road connecting Upper Paradise Road and Gilcrest Street has been constructed, to the satisfaction of the Commissioner of Engineering.
 - iii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.
 - iv) That the applicant provide a 2.0 m easement to Union Gas Ltd., with respect to their plant on Gosford Drive.
 - v) That the applicant provide a 3.0 m easement to Bell Canada with respect to their plant on Gosford Drive.
 - vi) That the applicant provide a full width of road allowance easement to the Regional Municipality of Hamilton-Wentworth for future storm and sanitary sewers on Gosford Drive.
 - vii) That Hamilton Hydro Electric System be permitted to retain their existing pole line on Gosford Drive, until such time as an alternate road allowance, from Upper Paradise Road to Gilcrest Street is made available.
 - viii) The applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed street is to be distributed to the owner, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;

viv) The Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.

NOTE: For the information of the members of City Council, the above recommendations were lost on a 3 - 3 tie vote and in accordance with Council's policy, are being forwarded at this time for Council's consideration. Copies of reports from the Department of Transportation dated 1986 July 7 and Mr. D. A. Powers, City Solicitors Office dated 1986 July 10 dealing with this item and which were considered by the Transport and Environment Committee at its meeting held 1986 July 14 have been forward to all members of City Council as background information.

31. (a) That the Commissioner of Engineering be authorized and directed to undertake the required repairs to the MacNab Street and Mary Street Bridges over CN Rail and the Parkdale Avenue Bridge over Lawrence Road.
 - (b) That the Capital Budget 1986-1990 No. 36152 MacNab Street Bridge be revised to include the Mary Street Bridge over CN Rail and the Parkdale Avenue Bridge over Lawrence Road for repair.
 - (c) That the Executive Committee recommend the source of funds to be provided for this Capital Project in the amount of \$135 000.
-
32. (a)
 - i. That the submitted schedules for the estimated cost of services in "Roma Gardens - Phase 2" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement.
 - ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
 - iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
 - iv. The Final Survey Plan for "Roma Gardens - Phase 2" not be released for registration until the Final Survey Plan for "Gurnett Estates - Phase 3" has been registered.
 - (b)
 - i. That the submitted schedules for the estimated cost of services in "Park Plaza Estates - Phase 3" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
 - iii. That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
33. That the Commissioner of Transportation be authorized and directed to contact the various newspaper companies to request their voluntary co-operation to limit the number of newspaper boxes on the road allowance at intersections in any one location to a maximum of three (3) which includes post boxes.
34. That the application of Dan A. Gaskin and Michele L. Gaskin on behalf of the owners of 174 John Street South, the "Pizza Palace" restaurant, 628855 Inc., requesting permission to establish an outdoor boulevard cafe on the road allowance of Augusta Street, subject to receiving approval of the Ontario Municipal Board for their rezoning application, be approved, during the pleasure of Council, provided that;
- 1. The owners prepare a Licencing Agreement, satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - 2. The owners pay the applicable annual licence fee for a Seasonal Licence (from May 1st to October 31st), "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by the licence" be set for this privilege, which fee shall be due and payable to the Corporation, 30 days from the date of this resolution, satisfactory to the City Solicitor;
 - 3. The owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all times;

5. That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by Council on August 28, 1984; and as amended on July 30, 1985.

35. That leave be granted to introduce the following Bills:

B-46 To Amend By-law No. 66-100 to Regulate Traffic

B-47 To Amend By-law No. 66-100 to Regulate Traffic

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN,
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson,
Acting Secretary
1986 July 14

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SEVENTEENTH Report for 1986 and respectfully recommends:

1. (a) That approval be given for the purchase and installation of traditional playground equipment in 1986, at a basic cost of \$5,000., per location for Macassa, Sherwood and Bobby Kerr Parks.
- (b) That in the interim, staff meet with interested neighbourhood residents to explore needs, types of equipment and any interest in cost-sharing of same in excess of \$5,000.
- (c) That funding for this equipment be charged to the 5% Land Dedication Fund.
2. (a) That George Baird/Sampson Architects, be retained as Professional Advisor, for the New Crystal Palace National Design Competition, at the proposed upset fee for all consulting services of \$40,100.
- (b) That the total budget for the competition not exceed \$300,000.

THE EXECUTIVE COMMITTEE RESPECTFULLY RECOMMENDS THAT THIS MATTER BE REFERRED BACK TO THE PARKS AND RECREATION COMMITTEE WITH THE REQUEST THAT THE CHAIRMAN OF THE NEW CRYSTAL PALACE COMMITTEE AND CITY TREASURER BE INVITED TO ATTEND ITS MEETING TO DISCUSS THIS MATTER.

NOTE: FOR THE INFORMATION OF THE MEMBERS OF CITY COUNCIL, THIS PROJECT IS INCLUDED IN THE 1987 PORTION OF THE 1986-90 CAPITAL BUDGET PROGRAMME.

3. (a) That permission be granted to the Ontario Ministry of the Environment to locate an air monitoring station in Beasley Park.
- (b) That a form of agreement, satisfactory to the Director of Public Works and the City Solicitor, be entered into between the City of Hamilton and the Ministry of the Environment with regard to the installation.
- (c) That the actual location of the installation within the park be satisfactory to the Director of Public Works.
- (d) That the Ministry of the Environment provide an amount of \$500. for appropriate landscape of the installation.

4. (a) That the lower section of Sam Lawrence Park be temporarily cordoned off and public access prohibited.
- (b) That the Department of Public Works develop terms of reference for the hiring of Landscaping and Engineering Consultants to upgrade and improve Sam Lawrence Park.
- (c) That a Public Participation Programme be included in the terms of reference.
- (d) That the Director of Public Works review the original plans of Sam Lawrence Park.
- (e) That an on-going Maintenance Programme be included in the terms of reference.

5. (a) That the amount of money up to \$40,000. required for the late August spraying of the Non Horticultural Parks be charged to account 0364 3619 - Weed Spray Programme; allowing an overdraft to occur.

That in late September a report be submitted to the Parks and Recreation Committee, indicating any savings in other Parks Division accounts, with the Committee's approval, be transferred to cover all or a portion of this overdraft.

- (b) That \$15,000. spent for the development of Mangalore Gardens be charged to account number 0364 5660 - Park Development, allowing an overdraft up to \$15,000.

That all monies saved on previously approved and funded projects within this account be used to reduce this overdraft; with the remaining amount to be funded from the 5% dedication fund.

6. That Bocci Courts at the following locations be financed from the 5% Land Dedication Account:
- (a) Mountain Arena - Including Lighting & Fencing - \$11,500.
- (b) Bruce Park - \$4,000.
- (c) Glencastle Park - \$4,000.
- (d) Greenhill Park - Lighting & Fencing to Existing Court - estimated cost \$8,500.
7. That the Parks Division be permitted to run an overdraft of up to \$10,000. in account #0364-37XX to cover the costs of maintaining the Veevers Estate Property at minimum horticultural standards.

8. (a) That the "Welcome to Hamilton" sign being proposed for Olympic Park not be approved at this time and that this matter of warmly welcoming tourists and visitors to the Regional Centre and providing them with directions and information be forwarded to the Region of Hamilton-Wentworth, to both the Economic Development Department and the Transportation Department to prepare a report on how to carry out signage and information at the entrances to the Regional Centre as well as en route to the major attractions.
- (b) That both the Chamber of Commerce and Mediacom be advised of this direction and be thanked for their co-operation to date on these signs.
9. That approval be given to demolish the City owned property at 127 West Avenue South purchased by the City in December 1980 for the future Stinson Neighbourhood Park Priority One.
- 10 That approval be given for the sale, to the abutting owners, of a 12 foot alleyway (as closed by Judge's Order, Instrument No. 195821 N.S.) together with surplus land at the rear of Hillcrest Avenue between Chedoke Avenue and Flatt Avenue, at a purchase price of \$351.00 each. Proceeds of the sale are to be credited to Account No. 0280-11. A deposit cheque from each owner, in the amount of \$35.00 is being held by the City Treasurer, pending approval of these transactions.

	<u>NAME</u>	<u>ADDRESS & DESCRIPTION</u>	<u>AREA</u>	<u>CLOSING DATE</u>
i.	Wm. Ormond	233 Hillcrest Ave Pt. 7, Plan 62R-8153	1031.76 sq. ft.	Sept. 8/86
ii	Mary Margaret Edge	237 Hillcrest Ave Pt. 6, Plan 62R-8153	1031.76 sq. ft.	Sept. 9/86
iii	Frank & Suzanne Kovacs	241 Hillcrest Ave Pt. 5, Plan 62R-8153	1031.76 sq. ft.	Sept 10/86
iv	Walter Thomas & Ella M. Shrubsall	245 Hillcrest Ave Pt. 4, Plan 62R-8153	1031.76 sq. ft.	Sept 11/86
v	Gregory Paul & Cheryl L. Gallo	249 Hillcrest Ave Pt. 3, Plan 62R-8153	1031.76 sq. ft.	Sept 12/86
vi	Marnie MacKay	255 Hillcrest Ave Pt. 1, Plan 62R-8153	1157.08 sq. ft.	Sept 16/86

11. (a) That the City of Hamilton enter into a lease arrangement with E.K. Tour Boat Service Limited for the use of a portion of the City's five acre Pier 4 Park adjacent to the Leander Boat Club, subject to the following:
- (i) This is a temporary location and subject to change at the discretion of City Council.
 - (ii) The Lessee being responsible at its own cost for the installation of all hydro and telephone utilities.
 - (iii) That all servicing of the boat, such as maintenance, repair, garbage and sewage disposal be performed elsewhere.
 - (iv) That the Lessee be responsible for any liability and damage as a result of its service.
 - (v) The approval of the Hamilton Harbour Commission for the Lessee's use of their water lot for the floating dock and the use of the parking lot.
 - (vi) The approval of the Hamilton Region Conservation Authority for the method of installation of the gangway leading from the Lessee's floating dock and its connection on the City's Pier 4 Park.
 - (vii) Any additional matters deemed necessary between the authorities involved.
- (b) That the lease term be for a period commencing July 1st, 1986 to November 30th, 1986. In view of the initial start-up costs associated with the construction of the floating dock, gangway and installation of services and the fact that the Lessee only leases a small area where the gangway connects to the lookout platform owned by the City, this department is recommending that the rent for 1986 be a flat rate of \$100 plus any realty and business taxes generated by this operation.
- (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
12. (a) That the City of Hamilton enter into a landscaping agreement with Lynda Mary Ashbee, 124 Kimberley Drive to lease approximately 7,800 square feet (724.62m²) of vacant land north and at the rear of 124 Kimberley Drive for a period of one year commencing September 1, 1986 at a yearly rental of \$1.00 plus taxes estimated to be \$160.00. The first year's rent has been paid and credited to Account 0306-0513.
- (b) That the Agreement be executed by the Mayor and City Clerk.

13. (a) That the City enter into a lease agreement with Lowney Inc. that enables the City to use the lands on the south east corner of Sanford Avenue South and Cumberland Avenue for playground purposes. The term of the agreement is one (1) year at the rental rate of \$1.00 per year, payable in advance, renewable from year to year, subject to termination by either party upon sixty (60) days prior written notice.
- (b) It is further recommended that the Mayor and City Clerk be authorized to execute the lease agreement subject to the satisfaction of the City Solicitor.
14. That a purchase order be issued to Turf Care, Markham, Ontario for the supply and delivery on one (1) Toro Greensmaster 300 Model 04345 complete with attachments for a total cost of \$17 240.91, including all taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of two tenders received. Funds provided in account no. 0364-0575.

15. That a purchase order be issued to Murray Towns, Simcoe for the supply of Sandy Loam Top Soil at a cost of \$3.00 per cubic yard in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Only supplier available. Funds provided in account no. 0364-9823. Approximate requirement - 5,000 cubic yards for a total cost of \$15,000.

16. That a purchase order be issued to Chipman, A Business Unit of C-I-L Inc., Stoney Creek for the supply and delivery of Grub Killer/Crab Grass Preventive and Fertilizer for the Cemetery Department, in the amount of \$34 031.37, including all applicable charges, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in account no. 0359-0719.

As the Fertilizer and Grub Killer will be required for July application, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

17. That a purchase order be issued to Henderson Recreation Equipment Limited, Norwich, for the supply, delivery, and installation of Creative Playstructures at King George Schook, for a total cost of \$15,000. including labour and applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in account #0367-0575(33).

18. (a) That Olympic Park, at Mohawk Road West and Upper Horning Road, be designated as the location for the proposed new twin pad arena.
- (b) That approval be granted to retain consultants for the new twin pad arena in advance of formal City Council approval of this project, which is provided for in the 1987 portion of the 1986-90 Capital Budget Programme.
- (c) i) That the firm of Svedas Koyanagi Architects Inc., Burlington, Ontario be retained to provide consulting services for this project at a fee not to exceed \$185 000.
- ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
- iii) That the Executive Committee be requested to recommend the method of financing the consultant's fee in the amount of \$185 000.
19. That application be made to the Minister of the Environment for exemption under Section 29 of the Environmental Assessment Act, for the proposed Hamilton Waterfront Master Plan.

Note: At its meeting held 1985 October 29, City Council authorized the preparation of the subject Exemption Order Application. The City retained Booth Aquatic Research Inc., to assist in preparing the application and together with them, staff has worked closely with the Environmental Assessment Branch of the Ministry of Housing compiling the required documentation for the Application.

Copies of the complete application with appendices are available from the Secretary of the Parks and Recreation Committee.

20. That permission be granted to the Hamilton/Burlington YMCA Sailing School, to operate a Waterfront Cafe which will include the sale of light beer, in conjunction with the 1986 Waterfront Celebrations, August 23 and 24, 1986, on the understanding that same will be confined to those lands leased for their use from the City, and subject to approval by the L.L.B.O.

NOTE: It should be noted that all proceeds derived from same would be utilized to offset expenses incurred in the operation of their Sailing School program.

21. (a) That the participants in the 1986 Rowing Program sponsored by the City of Hamilton in co-operation with the Leander Boat Club be required to sign a Waiver of Liability Form, satisfactory to the Director of Culture and Recreation and City Solicitor.
- (b) That inasmuch as this program is being sponsored by the City, that the Leander Boat Club not be required to add the City as an additional named insured, on its Insurance Policy.
22. That permission be granted to the Canadian Football Hall of Fame Induction Committee to:
- i) Hold their annual Golf Tournament at King's Forest Golf Course, on Friday, October 24th.
- ii) Utilize the Main Dining Room of the King's Forest Club House for their Sunday Brunch, October 26th.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. S. K. Reeder
Acting Secretary
1986 July 15

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its FIFTEENTH Report for 1986 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 41 to redesignate the subject lands from "Residential" to "Commercial" which is shown on the attached map marked as APPENDIX "A"; and that the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs.
- B. That approval be given to Zoning Application 86-39, Stephen Blashkiw, owner, requesting a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations for property located at Nos. 122 and 132 Queen Street South, as shown on the attached plan marked as APPENDIX "A", on the following basis:
 - i) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 as amended by By-law No. 79-309, applicable to the subject lands be amended to include the following variances as special requirements:
 - a) That Section 2. of By-law No. 79-309, be amended by introducing a new clause 1.(a) which reads as follows:
 - "1.(a) That an additional building area not to exceed 93.0 square metres permitting the joining of the two existing buildings shall be permitted."
 - (b) That Section 2.2 be deleted and replaced with the following:

"2.2 Not less than 10 parking spaces shall be provided on the land."
 - (c) That Section 2.3(a) be amended by changing the front yard depth from 2.4 m to 2.0 m.
 - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-665a, and that the subject land on Zoning District Map W-13 be notated S-665a;

- iii) That the proposed change in zoning will be in conformity with the Official Plan upon the approval of Official Plan Amendment No. 41.
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13; and,
- C. That final approval of the amending by-law by Council be withheld until such time as a Site Plan is approved by the Planning and Development Committee.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to properties municipally known as Nos. 122 and 132 Queen Street South, as shown on the attached map marked as Appendix "A".

The effect of the By-law is to amend By-law No. 79-309, by permitting a 93.0 square metre (1,000 sq. ft.) addition between the two existing buildings located at Nos. 122 and 132 Queen Street South. In addition, the By-law provides for the following variances:

- (1) to delete the required loading space
- (2) to establish a minimum front yard of 2.0 m instead of the required 2.4 m; and,
- (3) to permit a minimum of 10 parking spaces instead of the required 13 parking spaces

- 2. 1. That approval be given to Zoning Application 86-42, by Dr. Ivan Mus, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District, modified, to permit a daycare center containing a maximum of 60 children, for the property located at No. 2846 King Street East, as shown on the attached map marked as APPENDIX "B", on the following basis:
 - i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
 - ii) That the "C" (Urban Protected Residential) District provisions as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:

- a) That notwithstanding Section 9.(1)(iii), a day nursery for the accommodation of a maximum of 60 children shall be permitted.
- iii) That the amending By-law to added to Section 19B of Zoning By-law No. 6593 as Schedule S-972, and that the subject land on Zoning District Map E-106 be notated S-972;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106; and,
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 2. That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands to Schedule "A".
- 3. That amending By-law not be passed until the applicant has applied for and received Site Plan Approval.

EXPLANATORY NOTE:

The effect of the By-law is to provide a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District, modified for the property located at No. 2846 King Street East, as shown on the attached map marked as Appendix "B".

The effect of the By-law is to permit a daycare centre for a maximum of 60 children.

- 3. That approval be given to amended Zoning Application 86-45, Ritlyn Investments Ltd., owner, requesting a modification to the established "D" (Urban Protected Residential) - One and Two Family Dwellings, etc.) District, to permit a dry cleaning pickup service at No. 234 Queen Street South, as shown on the attached plan marked as APPENDIX "C" on the following basis:
 - i) That the "D" (Urban Protected Residential, One and Two Family Dwellings, etc) District provisions as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:
 - (a) That notwithstanding the provisions of Section 10.(1), a dry cleaning pickup service shall be permitted within the existing building.

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973, and that the subject lands on Zoning District Map W-14 be notated as S-973;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and,
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District provisions for the property located at No. 234 Queen Street South, as shown on the attached plan marked as Appendix "C". The effect of the By-law is to legalize a dry cleaning pick-up service within the existing building.

- 4. That approval be given to Zoning Application 86-41, Ortega Properties Ltd., prospective owner, for a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for lands located at the northwest corner of Stone Church Road East and Upper Wentworth Street, as shown on the attached plan marked as "APPENDIX "D" on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District;
- ii) That the "RT-10" (Townhouse) District regulations as contained in Section 10D of zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement.
 - 1. that notwithstanding Section 10D(7)(a) of By-law No. 6593 a maximum of 74 townhouse dwelling units shall be permitted.
- iii) That the amending By-law be added to Section 19B of zoning By-law No. 6593 as Schedule S-974, and that the subject lands on zoning District Map E-18C be notated S-974;
- iv) That the City Solicitor be directed to prepare a By-law to amend zoning By-law No. 6593 and zoning District Map E-18C.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- vi) That the Crerar Neighbourhood Plan be amended by redesignating portions of the subject property from "Low Density Apartment" and "Single and Double" residential to an "Attached Housing" land use designation, and by deleting the proposed cul-de-sac road.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for lands located at the north-west corner of Stone Church Road East and Upper Wentworth Street, as shown on the attached plan marked as Appendix .

The effect of the By-law is to permit the construction of 74 townhouse dwelling units on the subject lands, whereas the "RT-10" District regulations would only permit a maximum of 67 units.

- 5. A. That Zoning Application 86-44, Pem Holdings Limited, owner, requesting a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District, modified, to permit the conversion of the existing dwelling into professional offices and allow for a density transfer for property located at No. 95 Duke Street, be denied for the following reason:
 - a) The requested density transfer is inappropriate in that the proposed commercial use of the building adequately compensates for the loss of allowable residential gross floor area under the established "E-3" District regulations.
- B. That approval be given to an amended Zoning Application 86-44, Pem Holdings Limited, owner, for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District, modified, for property located at No. 95 Duke Street, as shown on the attached map marked as APPENDIX "E", on the following basis:
 - i) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District;

ii) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement;

a) That notwithstanding Section 10C(1) of By-law No. 6593, only the following uses shall be permitted:

1. Residential Uses:

- i) a single-family dwelling, together with the accommodation of lodgers to the number of not more than three;
- ii) a two-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
- iii) a three-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
- iv) a residential care facility for the accommodation of not more than 6 residents;
- v) a short-term care facility for the accommodation of not more than 6 residents.

2. One or more of the following commercial uses:

- i) a doctor's office;
- ii) a dentist's office;
- iii) a lawyer's office;
- iv) a chartered accountant's office; and,
- v) a finance, insurance or real estate office

3. Accessory Use:

- i) One ground sign, wall sign, or projecting sign of an area of not more than 0.4 square metres non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5

metres from the nearest street line in connection with any commercial use permitted in the district.

4. That the permitted uses identified in clauses ii)a)1. and ii)a)2. shall only be permitted within the building existing at the date of the passing of the By-law.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-975, and the subject land on Zoning District Map W-5 be notated S-975;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5; and,
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3. That final approval of the amending By-law by Council be withheld until such time as a Site Plan is approved by the Planning and Development Committee.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District for property located at No. 95 Duke Street, as shown on the attached plan marked as Appendix "E".

The effect of the By-law is to permit the following uses within the existing building:

1. Residential uses:
 - i) A single-family dwelling, together with the accommodation of lodgers to the number of not more than three;
 - ii) a two-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
 - iii) a three-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;

- iv) a residential care facility for the accommodation of not more than 6 residents;
- v) a short-term care facility for the accommodation of not more than 6 residents.

2. Commercial uses:

- i) a doctor's office
- ii) a dentist's office
- iii) a lawyer's office
- iv) a chartered accountant's office; and,
- v) a finance, insurance or real estate office

In addition, the By-law permits a small identification sign of not more than 0.4 square metres (4.31 sq. ft.)

6. A. Subdivision Application

- (a) That approval be given to application SA-86-07, A. Pompeani Enterprises Ltd., owner, to establish a draft plan of subdivision in the area south-west of Barton Street East and Centennial Parkway North subject to the following conditions:
 - 1. That this approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated November 29, 1985, revised to show a turning circle at the westerly limit of the north access road.
 - 2. That the owner acquire sufficient land to establish the northerly road in full and to provide for its connection to Centennial Parkway North.
 - 3. That the road allowances be dedicated as public highways on the final plan.
 - 4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - 5. That the final plan conform with the zoning by-law approved under The Planning Act.
 - 6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.

7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 9. That any dead-ends or open sides, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 10. That Blocks 25 to 28 inclusive, be developed only in conjunction with adjacent lands.
 11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-07), A. Pompeani Enterprises Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

B. Zoning Application

That approval be given to Zoning Applications 86-19 and 86-20, A. Pompeani Enterprises Ltd., owner, for a change in zoning from "L-r" (Planned Development - Low Density Residential) District and "L-mr-1" (Planned Development - Multiple Residential) District, to "C" (Urban Protected Residential, etc.) District, for properties located at the rear of 155, 173 and 183 Centennial Parkway North, as shown on the attached plan marked as APPENDIX "F" on the following basis:

- i) That the lands shown as Blocks "1" and "2" be rezoned from "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;

- ii) That the lands shown as Blocks "3" and "4" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the City Solicitor be direct to prepare a by-law to amend zoning By-law No. 6593 and Zoning District Map E-104
- iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area,
- v) That the Kentley Neighbourhood Plan be amended by redesignating the lands shown as Block "3" and "4" from "Attached Housing" to a "Single and Double" residential land use designation.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for properties located at the rear of No. 155, 173 and 183 Centennial Parkway North, as shown on the attached plan marked as APPENDIX "F".

Blocks "1" and "2" - change from "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;

Blocks "3" and "4" - change from "L-mr-1" (Planned Development Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings.

7. That approval be given to Zoning Application 86-40, Ontario Land Corporation, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, and from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District, for lands in the area north of Stone Church Road East, and east and west of the Hydro Right-of-Way, as shown on the attached plan marked as APPENDIX "G", on the following basis:

- i) That the lands shown as Blocks "1" and "2" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the lands shown as Blocks "3" and "4" be rezoned from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
- iv) That the Rushdale Neighbourhood Plan be amended by redesignating Blocks "3" and "4" from "Attached Housing" to a "Single and Double" residential land use designation, and that appropriate changes be made to the road pattern to reflect the road pattern on the draft approved plan of subdivision; and,
- v) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property in the area north of Stone Church Road East, and east and west of the Hydro Right-of-Way as shown on the attached plan marked as APPENDIX "G":

Blocks "1" and "2" - change from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District; and,

Blocks "3" and "4" - change from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District.

The effect of the By-law is to permit the subdivision of the lands for the purpose of constructing single-family dwellings.

8. That approval be given to amended Zoning Application 86-21, Gerry McDougall Enterprises Limited, owner, for a change in zoning from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District and modifications to the "A" (Conservation, Open Space, Park and Recreation) District and "M-13" (Prestige Industrial) District provisions to permit a miniature golf course on property located at No. 467 Charlton Avenue East, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "H", on the following basis:

1. That the lands shown as Block "2" on Appendix "H" be rezoned from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District;
2. That the "A" (Conservation, Open Space, Park and Recreation) District provisions as contained in Section 7 of Zoning By-law No. 6593, applicable to the subject property (Blocks "1" and "2") be modified to include the following variance as a special requirement:
 - i) That notwithstanding the provisions of Section 7.(1) of By-law No. 6593, the following commercial use shall be permitted:

COMMERCIAL USE

A miniature golf course.

3. That the "M-13" (Prestige Industrial) District provisions as contained in Section 17E of Zoning By-law No. 6593, applicable to the subject property (Block "3") be modified to include the following variance as a special requirement:
 - i) That notwithstanding the provisions of Section 17E(1)(c) of By-law No. 6593 the following commercial use shall be permitted:

IDENTIFICATION
NUMBER

COMMERCIAL USE

9699

Other Amusement and
Recreational Services,
limited to a miniature
golf course

4. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-976, and that the subject lands on Zoning District Map E-14 be notated S-976;

5. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14;
6. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
7. That the Stinson Neighbourhood Plan be amended by redesignating the subject property from "Industrial" and "Open Space" to "Park and Recreational";
8. That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands (Blocks "1" and "2") to Schedule "A"; and,
9. That the amending By-law not be passed by Council until the applicant has received Site Plan Approval.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a change and modification in zoning for the property located at No. 467 Charlton Avenue East, as shown on the attached map marked as Appendix "H", on the following basis:

- Block "1" - a modification to the existing "A" (Conservation, Open Space, Park and Recreation) District;
- Block "2" - a change in zoning from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District modified; and,
- Block "3" - a modification to the existing "M-13" (Prestige Industrial) District.

The effect of the By-law is to permit a miniature golf course as a commercial use, in addition to the existing Bowling Centre and parking areas.

9. That approval be given to the Ryckmans Neighbourhood Plan and policies as shown on the attached map marked as APPENDIX "I".

EXPLANATORY NOTE:

Municipal sewer services have recently been extended through this area. Development of the adjacent lands can proceed, following approval of the neighbourhood plan. The proposed Ryckmans Neighbourhood Plan contains a land use plan and policies which incorporate energy efficiency and urban design considerations.

10. A. Official Plan Amendment

That approval be given to Official Plan Amendment No. 39 to redesignate lands located in the area west of Upper Wellington Street between Stone Church Road East and Rymal Road East, from "Open Space" to "Residential", from "Residential" to "Open Space", from "Major Institutional" to "Residential" and from "Major Institutional" to "Open Space" land use designations, as shown on the attached plan marked as APPENDIX "J", and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs.

B. Subdivision Application

- a) That approval be given to Application SA-86-06, DiCenzo Construction Company Limited, owner, to establish a draft plan of subdivision on the west side of Upper Wellington Street and on the north side of Rymal Road East, subject to the following conditions:
1. That this approval apply to the plan prepared by A. J. Clarke and Associates Limited dated January 27, 1986 revised to show 431 lots for single-family dwellings, 2 blocks for attached housing, one block for a public school site, one block for park purposes, 5 blocks for future development, 7 blocks for 0.3 m reserves and 2 blocks for road widenings.
 2. That the road allowances be dedicated as public highways on the final plan.
 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 4. That the final plan conform with the zoning By-law approved under The Planning Act.
 5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
 6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

8. That the dead-end of the road allowances created by the Plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
9. That Block 432 to 436 inclusive be developed only in conjunction with adjacent land.
10. That sufficient lands be dedicated to establish the property line of Upper Wellington Street at 15.24 metres (50 feet) from the original centreline of the road allowance and of Rymal Road at 18.29 metres (60 feet) from the centreline of construction.
11. That 12 metre X 12 metre daylight triangles be established from the widened limits of Upper Wellington Street at Street "H".
12. That 12 metre X 12 metre daylight triangles be established from the widened limits of Rymal Road at Street "L".
13. That the future road allowance adjacent to Lots 1 to 9 and Block 434 to be established at its full width prior to or in conjunction with the development of these lands.
14. That the centreline of Street "L" at Rymal Road is to align with the centreline of Springside Drive.
15. That the centreline of Street "H" at Upper Wellington Street is to align with the centreline of the proposed street on the east side of Upper Wellington in the Barnstown Neighbourhood.
16. That at all road allowances, where an 18 metre road intersect with another 18 metre road, the minimum property line radius at the corner angles is to be 6 metres.
17. That at all road allowances, where an 18 metre road intersects a 20 metre road, the minimum property line radius at the corner angle is to be 5 metres.
18. That the minimum radius of all cul-de-sacs is to be 15 metres and the minimum property line radius at the transition points from the streets leading into the cul-de-sacs is to be 9 metres.

19. That lots 1 to 9, 22 to 43, 77 to 81, 428 to 431 and Blocks 432 and 433 cannot receive final approval prior to the installation of the north branch of the Red Hill Trunk Sewer and Lots 211 to 263, 277 to 303 and Blocks 436, 447 and 448 cannot receive final approval prior to the installation of storm and sanitary sewers from the easterly limit of the subdivision at Byng Street.

20. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-06), DiCenzo Construction Company Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

C. Rezoning Application

That approval be given to Zoning Application ZA-86-11, DiCenzo Construction Company Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space Park and Recreation) District, "C" (Urban Protected Residential, etc.) District, "R-4" (Small Lot Single-Family Detached) District, and "RT-20" (Townhouse and Maisonette) District, for property located on the west side of Upper Wellington Street between Stone Church Road East and Rymal Road East, shown as Block "1" to "5" on the attached plan marked as APPENDIX "J", on the following basis:

- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- ii) That the lands shown as Block "2", be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the lands shown as Block "3" and "4" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District;
- iv) That the lands shown as Block "5" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse and Maisonette) District;

- v) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9C and E-9D;
- vi) That the proposed changes in zoning will be in conformity with the Official Plan upon the approval of Official Plan Amendment No. 39; and,
- vii) That the Ryckman's Neighbourhood Plan be amended accordingly to reflect changes established by the draft approved plan of subdivision.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in Zoning for property located on the west side of Upper Wellington Street between Stone Church Road East and Rymal Road East, as shown on the attached Plan marked as Appendix "M", on the following basis:

- Block "1" - change from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- Block "2" - change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- Blocks "3 and 4" - change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- Block "5" - change from "AA" (Agricultural) District to "RT-20" (Townhouse and Maisonette) District.

The effect of the By-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings, small lot single-family detached dwellings, townhouse dwellings and open space purposes.

- 11. That in relation to Zoning Application ZA-81-67 and item 2(c) of the 5th Report of the Planning and Development Committee adopted by City Council on March 30, 1982, the City Solicitor be authorized to

proceed to have the City accept the entire parcel at 70-76 Kelly Street and to reconvey the parcel less the required 1.52 m (5 ft.) strip of land along Kelly Street to the applicant.

EXPLANATORY NOTE:

The owner of the property, as Mortgagee in possession, wishes to comply with the conditions of approval of Zoning Application ZA-81-67. In order to convey the required 1.52 m (5 ft.) road widening, it is necessary to convey the entire parcel of land to the City and then to reconvey the parcel less the required widening to the owner due to technical legal problems.

12. That Zoning Application ZA-86-43, Costantino Construction Ltd., owner, requesting a further modification to the "HH" (Restricted Community and Commercial) District, to permit restaurant and tavern uses for the property located on the west side of Mall Road south of Mohawk Road East, be denied for the following reasons:
 1. The proposal is contrary to adopted Council Policy (i.e. O.P.A. 31 and By-law 85-172) which specifically prohibits high traffic generating uses such as restaurants and taverns from locating on, among others, the subject lands.
 2. Approval of the applications would set an undesirable precedent for future similar applications.
13. That the Region be requested to grant one year extensions to the draft approval for Aquila Place Subdivision (Regional File No. 25T-79002) and Templemead No. 3 Subdivision (Regional File No. 25T-77005).
14.
 1. That the City Solicitor be authorized and directed to prepare By-law to remove part lot control from the easterly 12.186 m of Block "H" inclusive on Plan M-200, Randall Estate - Phase 1, and
 2. That the Region be requested to approve the By-law removing part-lot control on the above noted part of block "H".
15.
 - i) That proposed Amendment No. 8 to the Town of Ancaster Official Plan does not undermine the planning intentions of the City of Hamilton; and,

- ii) That the City Clerk be directed to so advise the Ministry of Municipal Affairs.

EXPLANATORY NOTE:

The Ministry of Municipal Affairs has requested the City of Hamilton's comments on the proposed Amendment No. 8 to the Town of Ancaster Official Plan. This amendment proposes a number of schedule (map) and policy changes to accommodate a 33.6 ha (83 acre) cemetery and related uses on lands known as the Lampman Farm located on the north side of Highway No. 53, approximately 200 m (650 ft.) west of the City limits in the Town of Ancaster.

- 16. That approval be given to the request of the Hamilton Beach Steering Committee to amend the land acquisition and demolition program on the Hamilton Beach, as follows:

- i) That pending acceptance by affected parties of a concept plan for the Hamilton Beach, the City of Hamilton request the Hamilton Region Conservation Authority to defer purchase of privately held lands on the Hamilton Beach, and further
- ii) That the City of Hamilton defer issuance of demolition permits for any structures standing on property acquired by the Conservation Authority from the Ministry of Transportation and Communications or any other public agency.

EXPLANATORY NOTE:

The purpose of this request by the Steering Committee is to ensure that the preparation of a concept plan for the Hamilton Beach is not complicated by altering the public vs. private land ownership pattern during the study period.

- 17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the building Department and the Planning and Development Committee:

31 Gerrard Street
732 Upper Paradise
29 East 23rd Street

776 King Street West
948 Upper Paradise

18. That the City of Hamilton, at the request of the Province of Ontario, return the balance of the funds (\$80 663.) remaining in the recyclable account for the Ontario Home Renewal Programme - Rental.

EXPLANATORY NOTE:

For the information of City Council, this Programme has been replaced by the Provincial Government's Low-Rise Rehabilitation Program which is a far superior program for landlords.

19. 1. That, James Street North from Vine Street to the C.N.R. mainline be designated as a Community Improvement Project Area according to the Planning Act, 1983, Section 28, Sub-section 2. as shown on the attached map marked as APPENDIX "K".
2. That, the City Solicitor be directed to prepare the necessary by-law to designate this section of James Street North as a Community Improvement Project Area.
3. That, the Community Development Department be directed to prepare the requisite Community Improvement Plan in accordance with Section 28, Sub-section (4) and (7) in order that Phase V of the Downtown Hamilton Action Plan and the Commercial Facade Loan Programme may be implemented.
20. That the City of Hamilton advise the Minister of Municipal Affairs of its intention to utilize the Provincial allocation to the City of Hamilton of \$450 000. for the Ontario Neighbourhood Improvement Programme (O.N.I.P.), for use in the Corktown-Stinson neighbourhoods on a fifty percent (50%) matching basis, totalling \$900 000.

EXPLANATORY NOTE:

For the information of Committee members, the City's portion of the proposed Corktown/Stinson budget has been included in the 1986-1990 Capital Budget, Number D37004, page 31.

21. That, for the purposes of implementing the Commercial Facade Loan Programme, Addendum #2 to the "Downtown Core Area Redevelopment Plan" attached hereto as APPENDIX "L", be adopted; and,
- i) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council for approval a by-law pursuant to Sub-section (7), Section 22., The Planning Act, to provide for the adoption of ADDENDUM NO. 2; and,

- ii) That pursuant to first and second reading of the by-law referenced above, the Director of Community Development be authorized and directed to submit "ADDENDUM NO. 2" to the Minister of Municipal Affairs for approval.

NOTE: Downtown Hamilton Action Plan : Phase II, Redevelopment Plan was adopted by By-law No. 86-185 which was passed to adopt Addendum #1 to the Downtown Core Area Redevelopment Plan.

22. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7 500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in the Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

- | | |
|--------------------------------------|---|
| 1. I. Freeman
133 Bowman Street | 2. W. Wright
41 Quaker Crescent |
| 3. R. Crook
41 Delena Ave. South | 4. J. Simmons
179 Macauley East |
| 5. C. Rieger
774 Tenth Avenue | 6. I. Kocmarek
541 Ferguson Ave. North |
| 7. H. Stephenson
12 Goggin Avenue | 8. R. Beaulieu
153 McAnulty Boulevard |
| 9. E. Price
48 Mars Avenue | 10. S. Norman
1651/2 Kenilworth S. |
| 11. R. Martin
553 Mohawk Rd. East | 12. M. Chen
42 Kingsmount St. North |
| 13. H. Koffeman
61 Richwill Road | |

Hamilton Rehabilitation Assistance Programme

1. P. Lam
139 Queen Street N.
 2. C. Richer
438 Herkimer Street
23. "That, the Annual Report and audited financial statements for 1985, of the Concession Street Business Improvement Area, attached hereto as Appendix "M", be received by City Council."
24. 1. That approval be given to terminate the sale of vacant land at the north west corner of Fullerton Avenue and Princess to Victoria Park Community Homes, Inc., due to unsuitable soil conditions for residential development.
2. That the City Solicitor be directed to take the necessary action to terminate the transaction and refund the deposit of \$200. to Victoria Park Community Homes Inc.,
3. That Item 12 of the 23rd Report of the Planning and Development Committee approved by Council on November 29, 1983 authorizing the sale, be rescinded.
4. That Item 22 of the 24th Report of the Planning and Development Committee approved by Council on August 27, 1985, amending the original approval, be rescinded.
5. That the Planning Department and Real Estate Department be authorized and directed to give consideration to developing a recommendation for the use of the vacant parcel of land at the north-west corner of Fullerton Avenue.
25. That an Offer to Purchase the lands of the Corporation of the City of Hamilton known as Lot 23, Plan M-227, Hamilton Mountain Industrial Park No. 1 duly executed on June 19, 1986 by the Purchaser, Armando and Anna Sbrissa and scheduled for closing on September 25th, 1986 be approved and completed.

Note: The property is composed of a parcel of vacant land located on the northern limit of Hempstead Drive, having a frontage of 219.31' by a depth of 398.76'/399.54' and containing an area of 2.0184 acres. The subject site is more particularly described as Lot 23 on Plan M-227.

The purchase price is \$72 000. A certified deposit cheque in the amount of \$7 200, is being held by the City Treasurer pending Council approval.

This transaction includes special building covenants, agreements and restriction which are set out in APPENDIX "N", attached hereto.

26. 1. That the City of Hamilton grant Ontario Auto Collision Ltd., for the sum of \$480. the sole and exclusive option to purchase Lot 3, Plan M-352 (Hamilton Industrial Park No. 3) on Rymal Road East. The Option shall be open for exercise by Ontario Auto Collision Ltd., until September 8th, 1987 and if exercised the closing date will be the 8th day of November 1987.
2. That the Mayor and City Clerk be authorized to execute an Option to Purchase agreement in a form satisfactory to the City Solicitor.

Note: The property is composed of a parcel of vacant land located on the south side of Rymal Road East, having a frontage of 46 metres (150.9 feet) by a depth of 91,440 metres (300 feet) and containing an area of 4,206 m² (1.0393 acres). The subject site is more particularly described as Lot 3, Plan M-352 (Hamilton Industrial Park No. 3).

The purchase price is \$48 000. A deposit in the amount of \$4 800 shall be payable by Ontario Auto Collision Ltd. on the exercise of the Option. The Option fee is \$480.00 is not refundable if the Option is not exercised; however, if the Option is pursued with, the \$480., shall be credited against the balance of the price payable by Ontario Auto Collision Ltd., on closing.

27. That the interim account of Weir and Foulds, Barristers and Solicitors dated May 26, 1986 in the amount of \$9 900., for fees and \$191.93 for disbursements for a total of \$10 091.93 be paid and charged to account No. 0325-0156 - Consultants Fees. This account covers services from August 27, 1985 when Weir and Foulds were retained to April 8, 1986.

EXPLANATORY NOTE:

By adopting Section 20 of the Twenty-Fifth Report of the Planning and Development Committee at its meeting of September 24, 1985, City Council approved that the firm of Weir and Foulds, Barristers and Solicitors be retained under the direction of the City Solicitor to act for the City in regard to the Supreme Court of Ontario action

commenced against the City by Anthony Butler, Philip R. Book, William E. Carruthers and John J. Shaw carrying on the practise of architecture under the name Anthony Butler/Brook Carruthers Shaw Associates Architects for the Hamilton Central Library and Farmers' Market.

28. That the account of Yates & Yates, Barristers and Solicitors, dated March 6, 1986 in the amount of \$11 366.35 for handling the sale of Block 101 for \$1 344 126.50 to 601210 Ontario Inc., a sewer easement to the Region and the closing of the adjacent Napier Street be paid and charged to Account 0280-02 reserve for property purchases.
29. That the City Solicitor be directed to prepare the necessary by-laws to appoint specified Regional employees to act as plumbing inspectors, with the inspectors to be restricted through administrative directives to piping outside the buildings.

EXPLANATORY NOTE:

The Province of Ontario by the adoption of Regulations 815/84, the Plumbing Code, redefined sewer and water pipes between a building and the private property line. This Regulation came into effect earlier this year.

Under the new regulations, the sewer and water pipes can be either plumbing, which is subject to Regulation 815/84 or they can be facilities subject to the Ontario Water Resources Act. Plumbing is controlled by Regulation 815-84 and must be inspected by plumbing inspectors while the remainder is subject to the Ontario Water Resources Act and is normally controlled by Engineering standards.

30.
 1. The Corporation of the City of Hamilton accept the sum of \$66 100., as cash payment in lieu of 5% dedication in connection with "Gagliano Gardens", Hamilton.
 2. The Corporation of the City of Hamilton accept the sum of \$74 600., as cash payment in lieu of 5% parkland dedication in connection with "Templemead No. 1 Survey - Phase I".
 3. The Corporation of the City of Hamilton accept the sum of \$22 960., as cash payment in lieu of 5% parkland dedication in connection with "Templemead No. 2 Survey - Phase 2".

31. 1. That the City exercise an informal Option to Purchase agreement with the owners of the former Bank of Montreal realty on the south west corner of Main Street West and James Street South, for the sum of \$1 000 000., payable in full on closing.

The closing date shall be 30 days following receipt by the Owners of vacant possession from the tenant in possession, but in any event not before July 31, 1987 nor later than May 15, 1995.

2. That the Finance Committee be requested to determine the means of financing the purchase price of \$1 000 000., out of the current estimates.

NOTE: On December 10, 1985, pursuant to item 27 of the First Report of the Planning and Development Committee, City Council authorized acceptance of a six (6) month option on the subject realty which was due to terminate on June 30, 1986. However, the owners of the subject property agreed to extend the expiry date of the intended option to purchase this property to July 30, 1986. If the option is not exercised by the City, the owners would be entitled to sell to others, or demolish the building as behooves their interests.

At its meeting held July 9, 1986, the Planning and Development Committee discussed the following possible uses for the building:

- (a) Expansion of City Office space
- (b) Provincial Courts
- (c) Museum

A copy of a report from Mr. L. Sage, C.A.O., dated 1986 June 26 dealing with the Option to Purchase which was considered by the Planning and Development Committee on July 9, 1986 has been forwarded to all members of City Council as background information.

32. That leave be granted to introduce the following Bills:

D-94 By-law to Adopt Official Plan Amendment No. 40
Respecting Lands Located on the East Side of Mall Road,
in the Area south of Mohawk Road East.

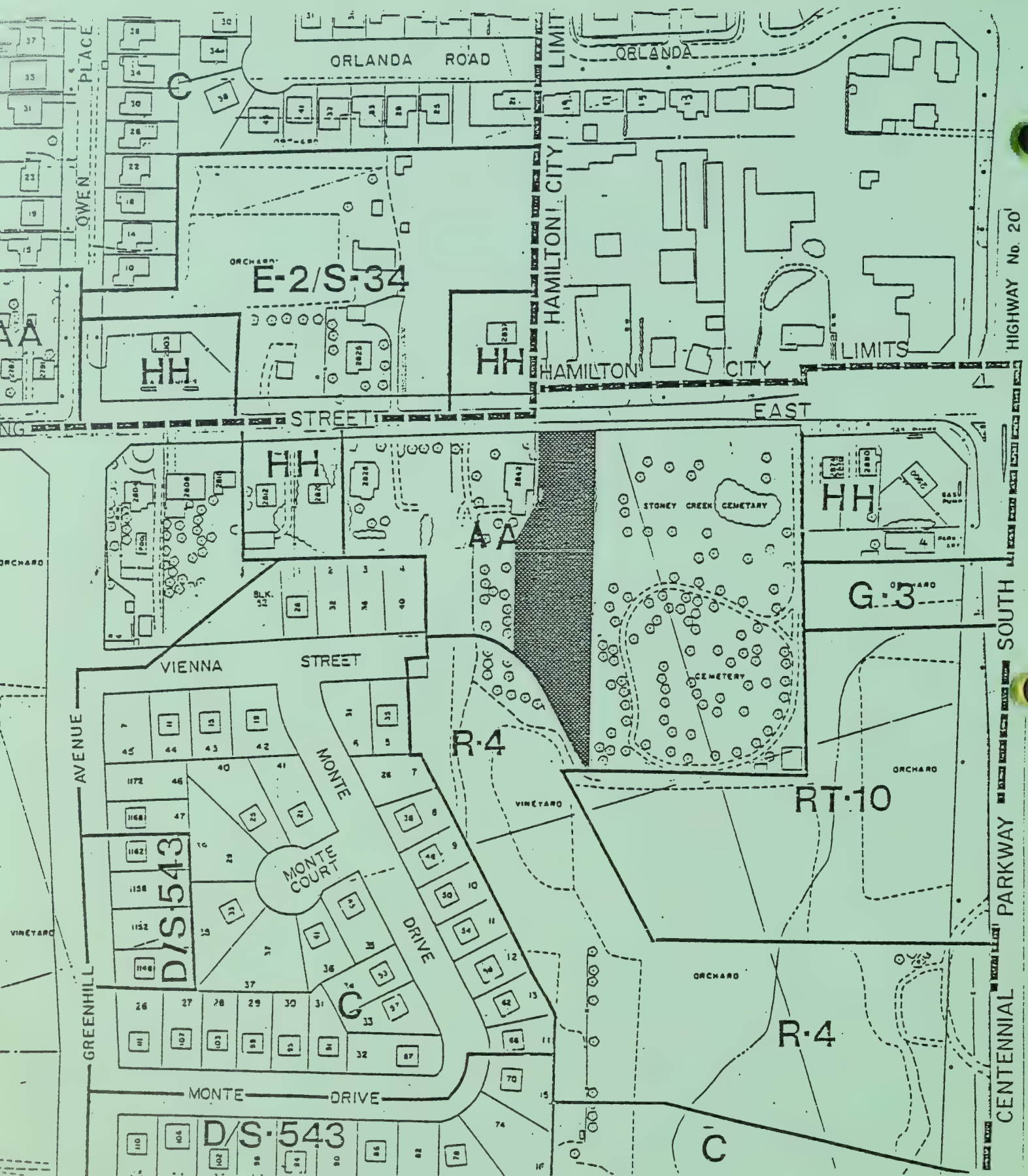
D-95 By-law to Adopt Official Plan Amendment No. 39
Respecting Lands Bounded by Upper James Street, Rymal
Road, Upper Wellington Street and Stone Church Road.

- D-96 By-law to Amend Zoning By-law No. 6593 Respecting Outdoor Patios
- D-97 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the East Side of Mall Road in the Area South of Mohawk Road East.
- D-98 By-law to Amend Zoning By-law No. 6593 Respecting Land Located in the Area West of Upper Sherman Avenue and North of Stone Church Road East
- D-99 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Greenhill Avenue and South of King Street East.
- D-100 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the North-East Corner of Upper Paradise Road and Stone Church Road West.
- D-101 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 432 to 444 Main Street East.
- D-102 By-law to Establish Site Plan Control Respecting Land Located at Municipal Nos. 432 to 444 Main Street West.
- D-103 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-West Corner of King Street East and Greenhill Avenue.
- D-104 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 19 Barton Street East.
- D-105 By-law to Remove Part of "Randall Estates - Phase 1" Registered plan of Subdivision from Part Lot Control.
- D-106 By-law to Establish Site Plan Control Respecting Land Located at the Rear of Municipal No. 19 Barton Street East.

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

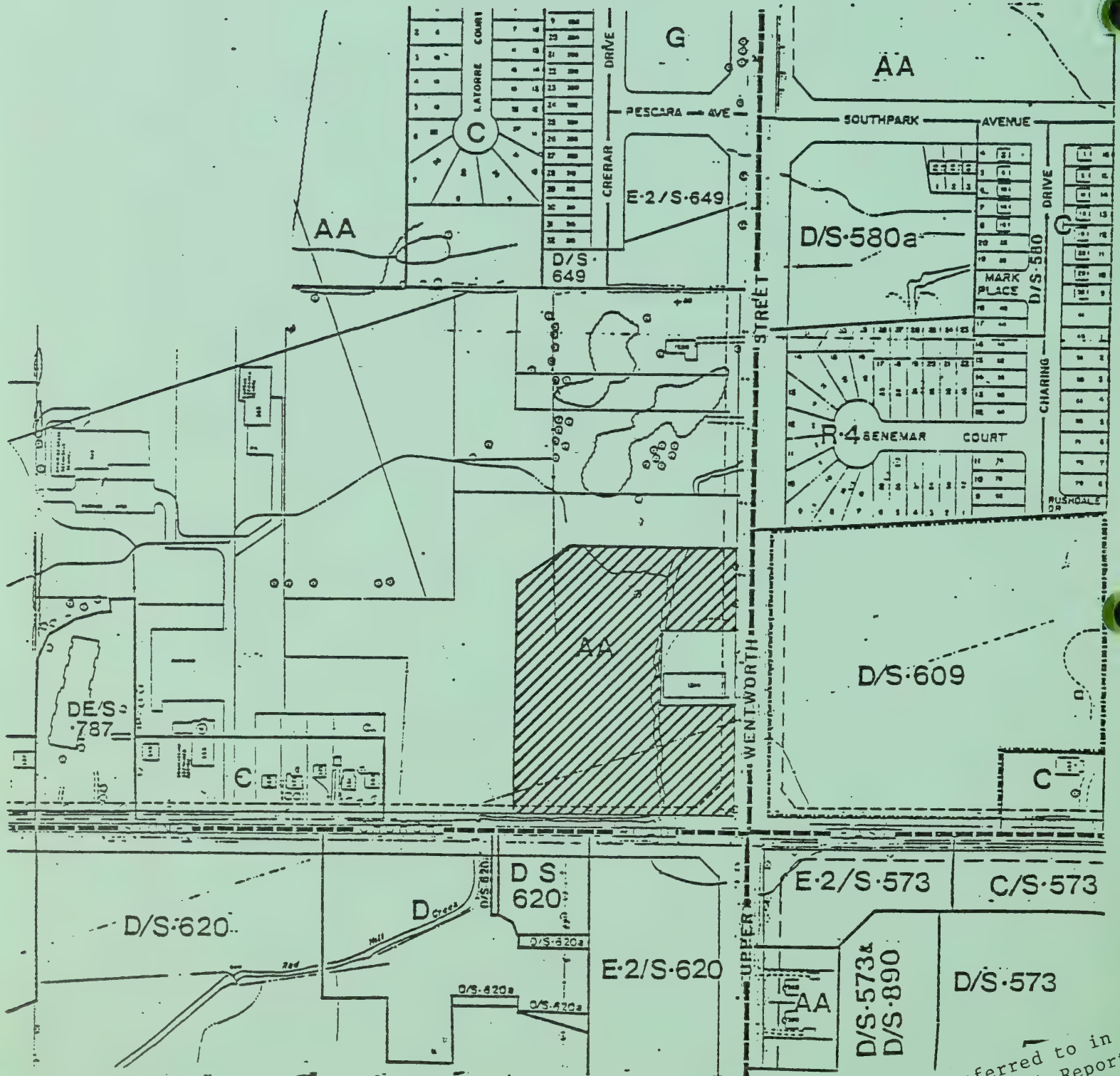
John Thompson, Secretary,
Planning and Development Committee



LEGEND

SITE OF THE APPLICATION

Appendix "B" as referred to in
Item 2(1) of the Fourteenth
Report for 1986 of the Planning
& Development Committee

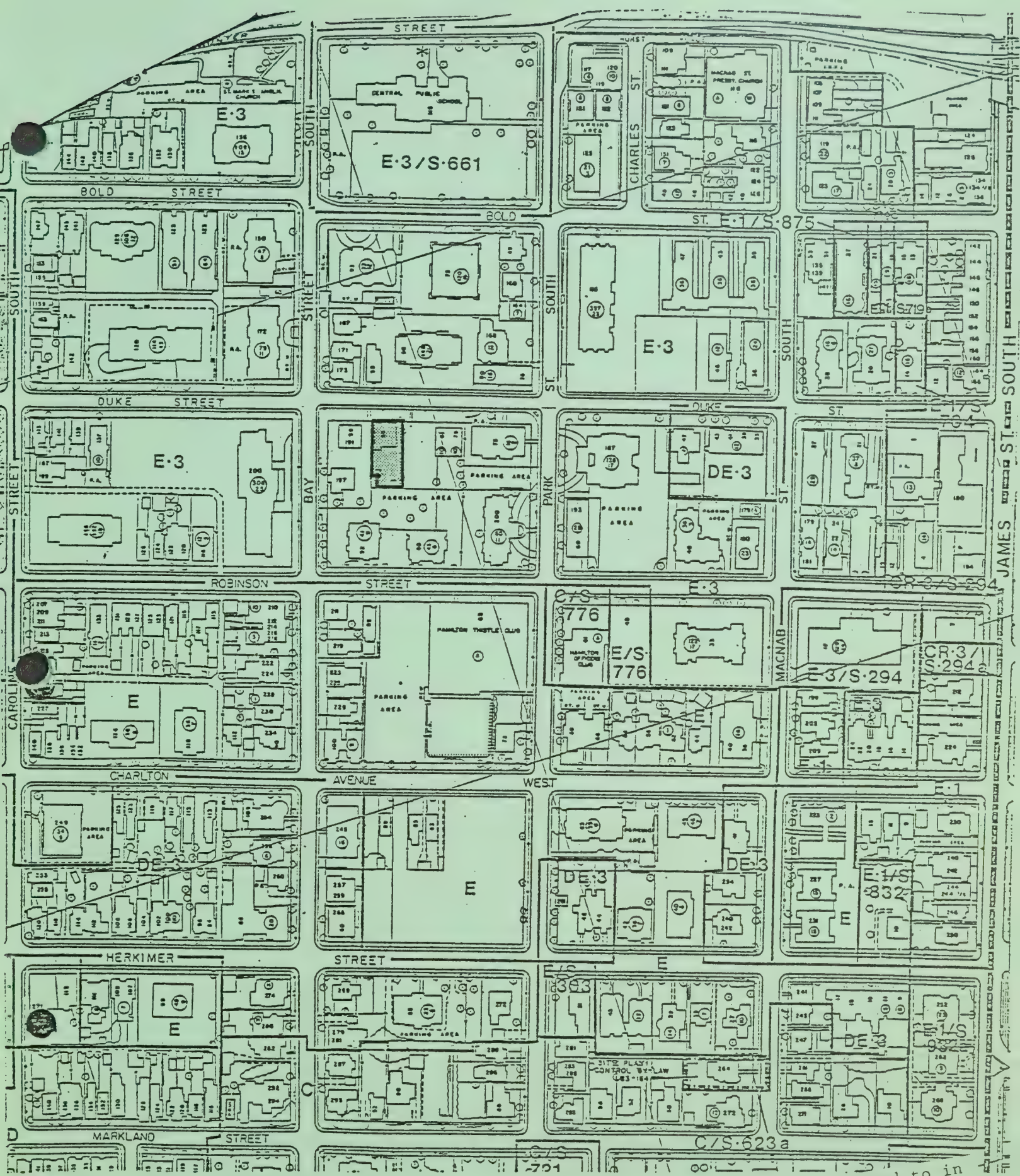


LEGEND



SITE OF THE APPLICATION

Appendix "D" as referred to in
Item 4 of the Fourteenth Report
for 1986 of the Planning &
Development Committee

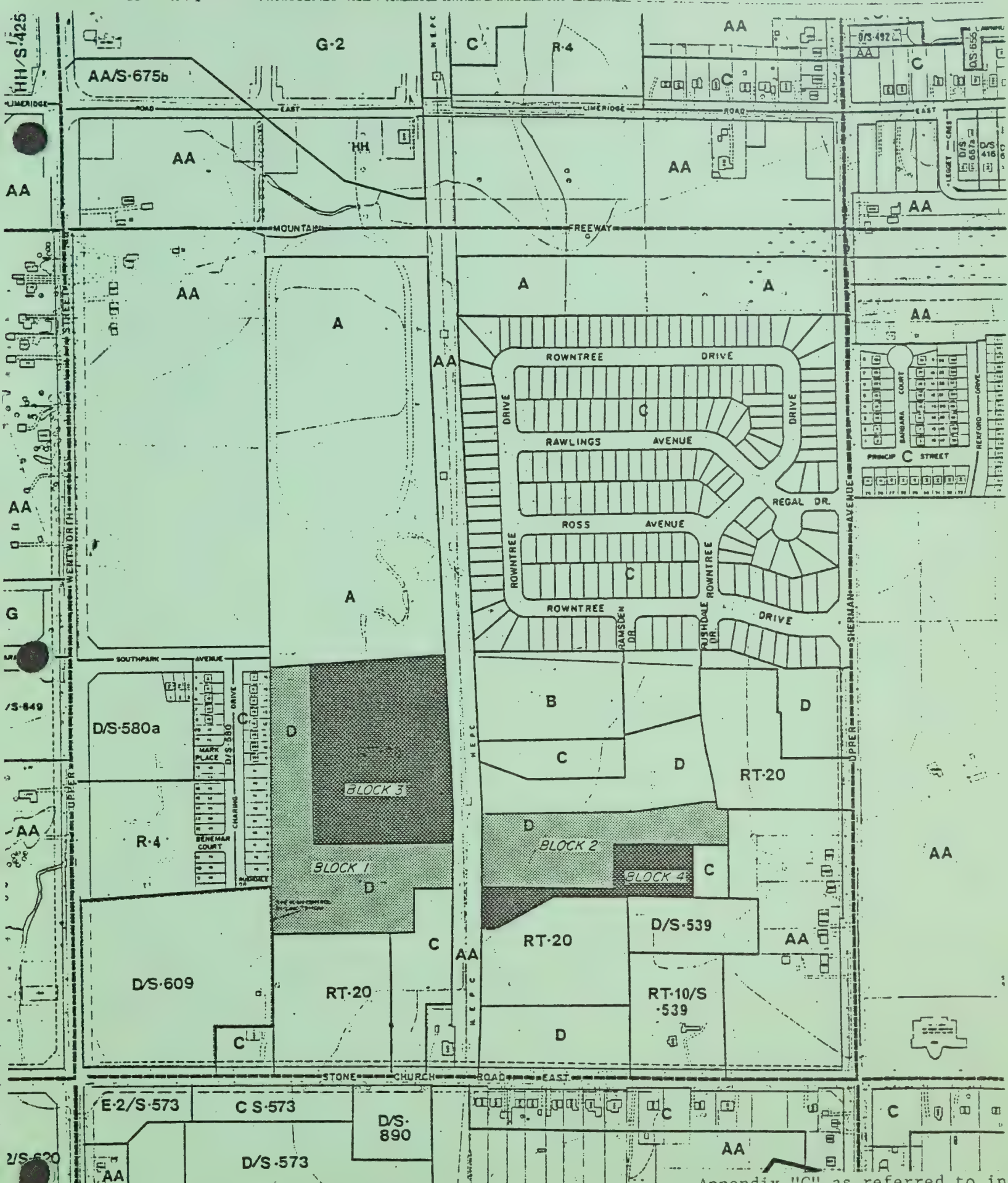


LEGEND



SITE OF THE APPLICATION

Appendix "E" as referred to in Item 5B of the Fourteenth Report for 1986 of the Planning & Development Committee



LEGEND

CHANGE IN ZONING FROM:

BLOCK-1 and 2



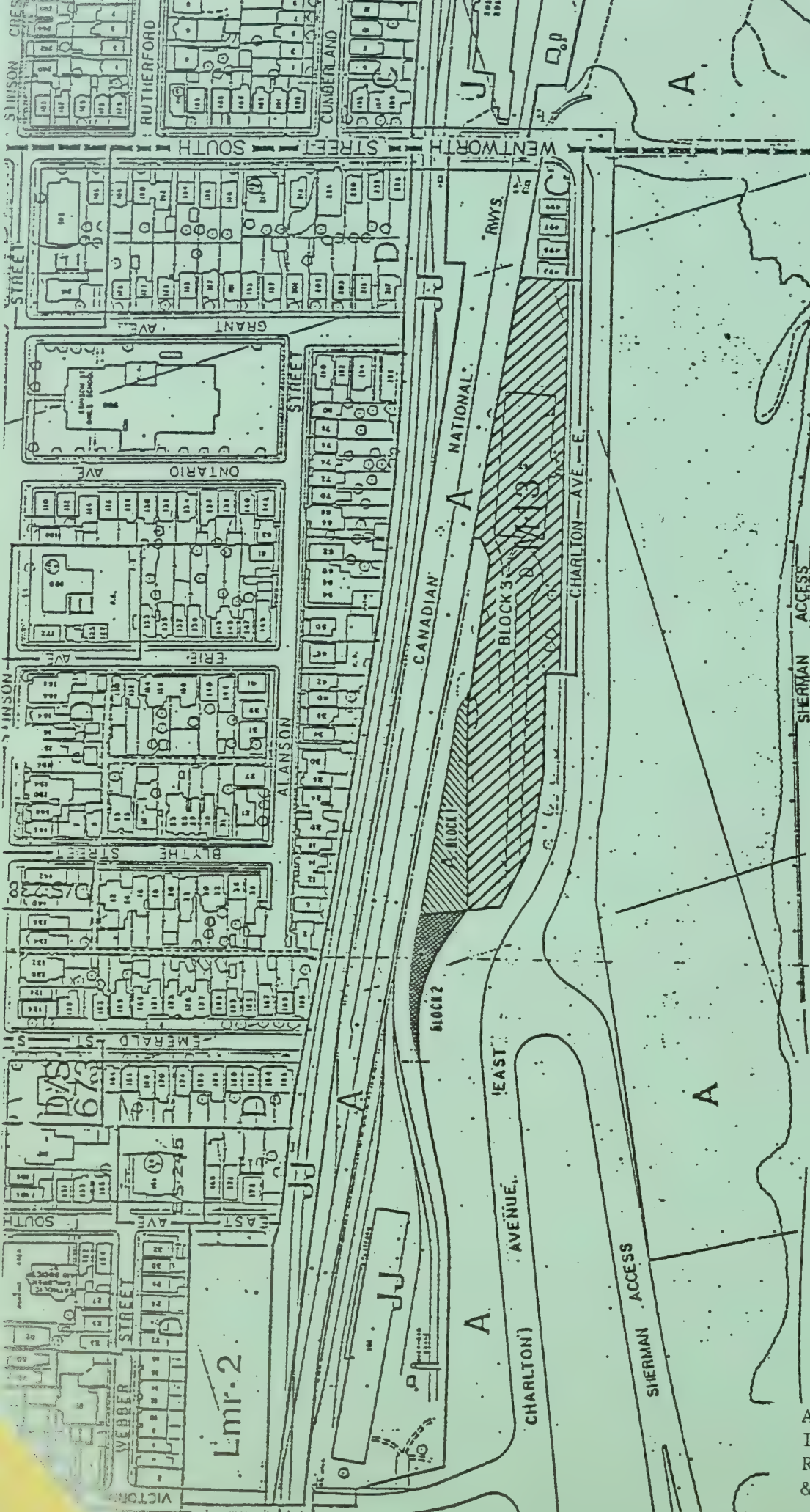
"D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO)
TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DIST

BLOCK 3 and 4



RT-20 (TOWNHOUSE-MAISONETTE) DISTRICT
TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

Appendix "G" as referred to in
Item 7 of the Fourteenth
Report for 1986 of the Planr
& Development Committee



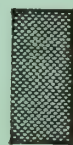
LEGEND

PROPOSED CHANGE IN ZONING:



BLOCK 1

MODIFICATION TO THE EXISTING "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.



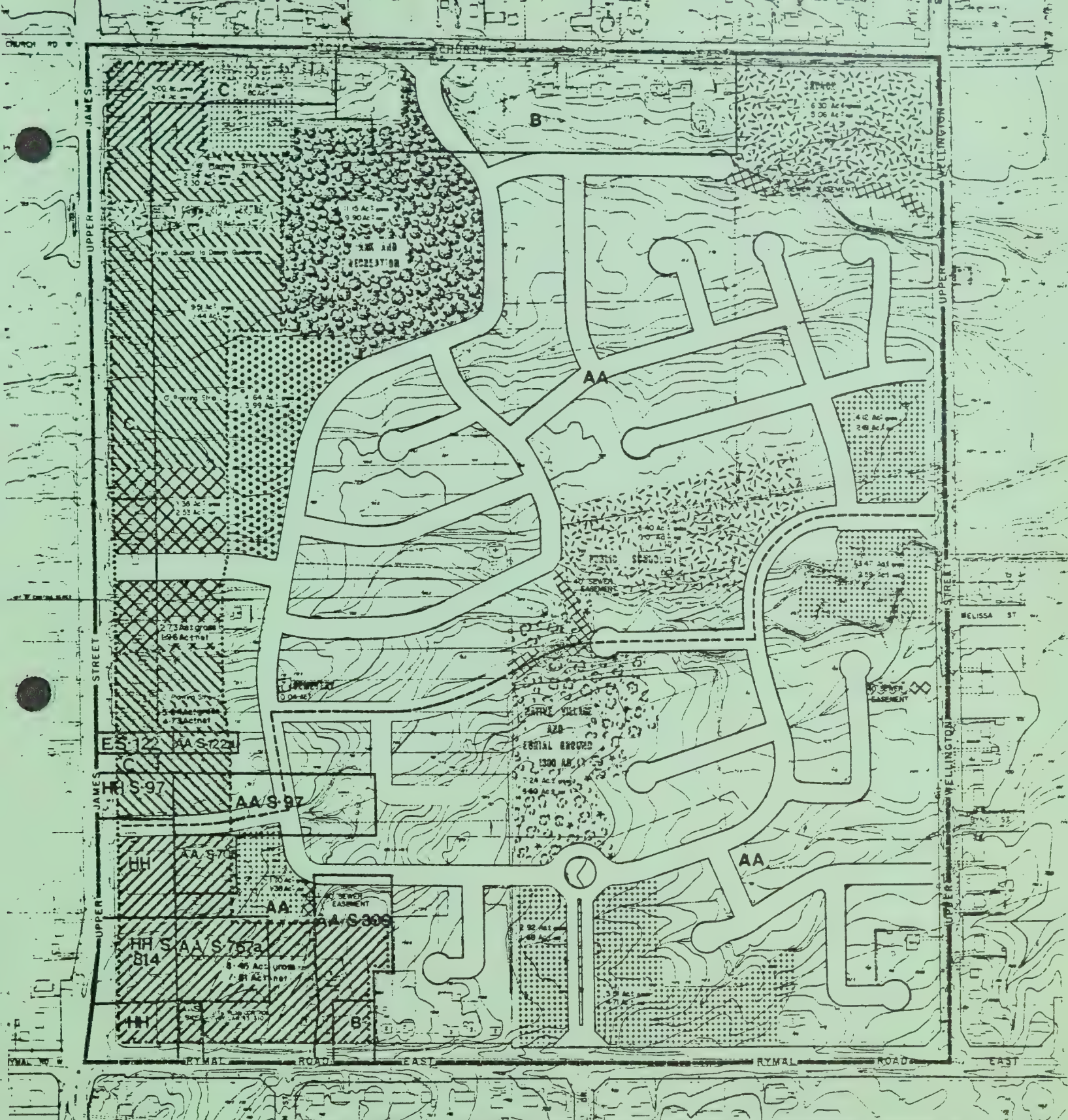
BLOCK 2

FROM "JJ" (RESTRICTED LIGHT INDUSTRIAL) DISTRICT TO "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT, MODIFIED.



BLOCK 3

MODIFICATION TO THE EXISTING "M-13" (PRESTIGE INDUSTRIAL) DISTRICT.



Appendix "I" as referred to in
Item 9 of the Fourteenth Report
for 1986 of the Planning and
Development Committee

EXISTING POPULATION (1982) 157

DESIGN FEATURE
BOULEVARD
HAMILTON EXISTING PARK LANDS SITE
OF EDUCATION FOR THE CITY OF HAMILTON
SCHOOL SITE
LANDS DESIGNATED FOR SCHOOL AND/OR
INDUSTRIES

--- LIMIT OF CHANGING AREA
--- EXISTING TRUNK SEWER
--- AREA SUBJECT TO URBAN DESIGN POLICY

LAND USE

RESIDENTIAL

- single & double
- ▨ attached housing
- ▤ low density apts.
- ▥ medium density apts.
- ▧ commercial & retail warehouse

- ▩ COMMERCIAL
- NEIGHBOURHOOD COMMERCIAL
- ▬ CIVIC & INSTITUTIONAL
- ▭ PARK & RECREATIONAL
- ▮ OPEN SPACE
- ▯ UTILITIES
- ▰ MULTIDENIT

--- Neighbourhood Boundary
--- Zoning Boundary

Approval
Planning Comm. and Council
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

RYCKMANS
APPROVED PLAN



C.O.N. 8

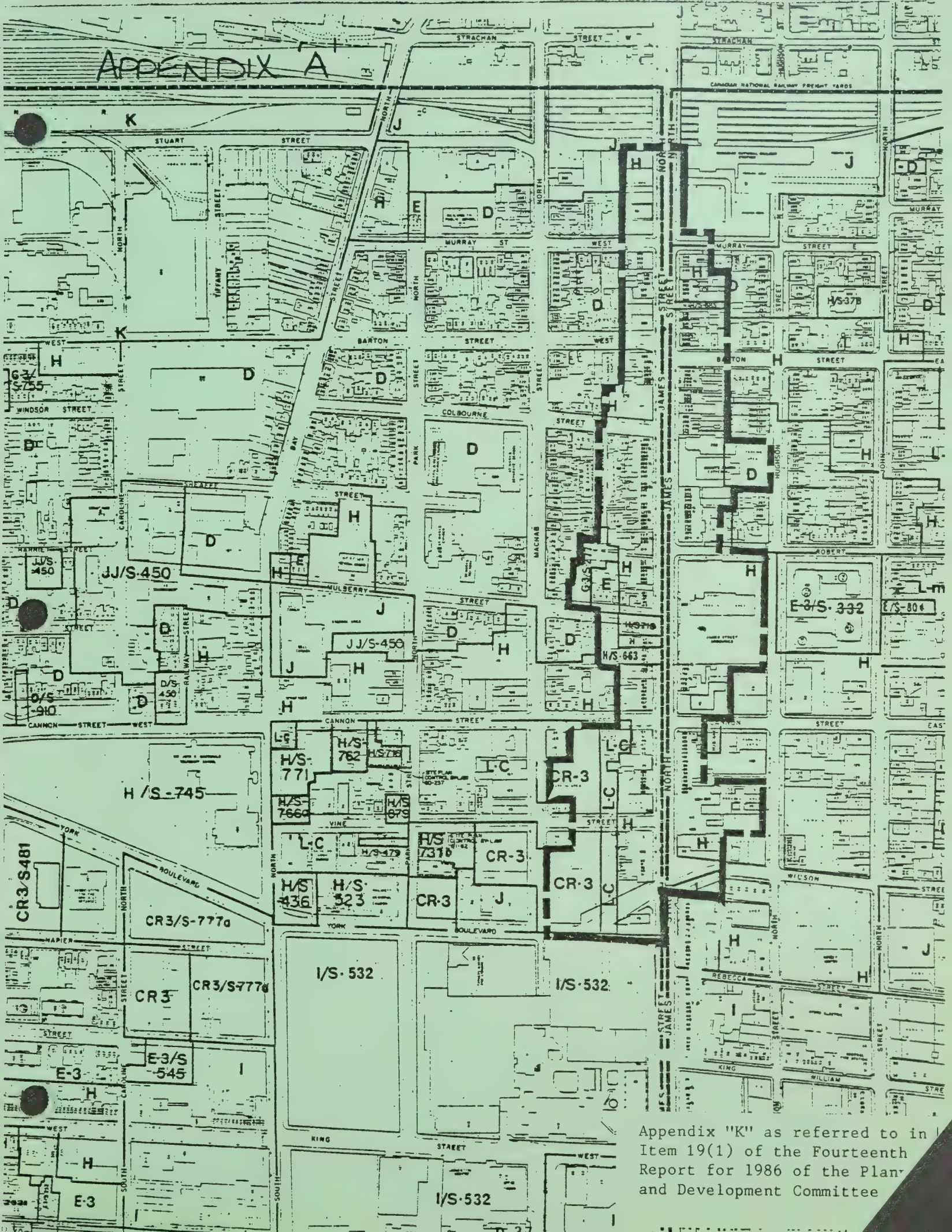
LOT 13

"RT-20" (TOWNHOUSE - MAISONETTE) DIST

ДОК 5

D-36

APPENDIX A



Appendix "K" as referred to in Item 19(1) of the Fourteenth Report for 1986 of the Plan and Development Committee

SCHEDULE "A" TO
BY-LAW NO. 86-

ADDENDUM NO. 2
TO
THE DOWNTOWN CORE AREA
REDEVELOPMENT PLAN ENTITLED
"DOWNTOWN HAMILTON ACTION PLAN:
PHASE II, REDEVELOPMENT PLAN,
ADOPTED BY BY-LAW NO. 85-203"

THE CORPORATION OF
THE CITY OF HAMILTON
1986 JUNE 30

Appendix "L" as referred to in
Item 21 of the Fourteenth Report
for 1986 of the Planning and
Development Committee

DOWNTOWN HAMILTON ACTION PLAN

PURPOSE:

TO AMEND THE CORE AREA REDEVELOPMENT PLAN IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL FAÇADE LOAN PROGRAMME.

PREFACE:

THE CITY OF HAMILTON BY BY-LAW No. 85-203 PASSED THE 8TH DAY OF OCTOBER, ADOPTED A REDEVELOPMENT PLAN FOR THE DOWNTOWN CORE AREA OF THE CITY, WHICH WAS REFERRED TO AS 'PHASE II REDEVELOPMENT PLAN', AND DATED 1985 MAY.

SUBSEQUENTLY, ADDENDUM No. 1 TO THE ABOVE ADOPTED REDEVELOPMENT PLAN WAS GIVEN THIRD AND FINAL READING 1986, JUNE 24, AND IS COMPRISED OF 'PHASE III: THIRD PRIORITY ACTIONS'.

THE WITHIN PLAN CONSTITUTES ADDENDUM No. 2 TO THE REDEVELOPMENT PLAN AND IS COMPRISED OF 'THE FAÇADE LOAN PROGRAMME'.

INTRODUCTION

THE DOWNTOWN HAMILTON ACTION PLAN, A RESEARCH AND IMPLEMENTATION DOCUMENT, AIMED AT REVITALIZATION OF HAMILTON'S CORE AREA, WAS SUBMITTED TO CITY COUNCIL IN JANUARY 1983.

TO COMPLIMENT THE IMPLEMENTATION OF ALL PHASES OF THE DOWNTOWN HAMILTON ACTION PLAN, R. DUToIT AND ASSOCIATES RAISE THE FOLLOWING ISSUES IN CONTEXT OF ENHANCING THE PEDESTRIAN ENVIRONMENT IN THE DOWNTOWN CORE:

'AN IMPORTANT ASPECT OF IMPROVING THE VISUAL APPEARANCE OF DOWNTOWN INVOLVES THE UPGRADING OF EXISTING BUILDING FRONTS, NOT ONLY FROM THE POINT OF THE STREETScape ITSELF, BUT ALSO AS A TOOL FOR MERCHANTS TO IMPROVE THEIR OWN IMAGES. THE KEY HERE WILL BE TO ESTABLISH COST BENEFICIAL TECHNIQUES FOR UPGRADING WHICH WILL IMPROVE THE BUSINESS' IMAGE AND AT THE SAME TIME RESPECT THE ARCHITECTURAL INTEGRITY OF THE BUILDINGS INVOLVED.'

APPENDIX 'A' OF THE PLAN OUTLINES THE IMPORTANCE OF PRIVATE EXTERIOR RENOVATION:

'A MAJOR COMPONENT OF THE REVITALIZATION EFFORT, PRIVATE RENOVATION, COMPLEMENTS THE PUBLIC STREET IMPROVEMENTS PREVIOUSLY DESCRIBED. TOGETHER THESE PUBLIC AND PRIVATE EFFORTS WORK TOWARDS THE GOAL OF ESTABLISHING AN ATTRACTIVE AND ECONOMICALLY HEALTHY SHOPPING AND MULTI-FUNCTIONAL CENTRE FOR DOWNTOWN HAMILTON. IN ADDITION TO INCREASING THE ATTRACTIVENESS OF THE CORE AREA, RENOVATION WILL INCREASE THE UTILIZATION OF EXISTING BUILDINGS; PREVIOUSLY UNUSED SPACE CAN BE TRANSFORMED INTO OFFICES OR APARTMENTS, ADDING TO THE VARIETY, SAFETY AND EXCITEMENT OF THE DOWNTOWN AREA.'

COMMERCIAL FACADE LOAN PROGRAMME

BACKGROUND:

IN A REPORT SUBMITTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT DATED 1986 DECEMBER 10 AND INCLUDED IN ITS CAPITAL BUDGET SUBMISSION, THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED THE ESTABLISHMENT OF A NEW COMMERCIAL FACADE LOAN PROGRAMME. SUBSEQUENTLY, CITY COUNCIL GAVE THE DEPARTMENT OF COMMUNITY DEVELOPMENT AUTHORIZATION TO PROCEED WITH IMPLEMENTATION OF THE COMMERCIAL FACADE LOAN PROGRAMME BY ADOPTING ITEM 10 OF THE 12TH REPORT FOR 1986 OF THE PLANNING AND DEVELOPMENT COMMITTEE, 1986 JUNE 24.

THE COMMERCIAL FAÇADE LOAN PROGRAMME FOR THE DOWNTOWN ACTION PLAN AREA MUST BE IMPLEMENTED UNDER SECTION 22 OF THE PLANNING ACT. THIS SECTION OF THE OLD ACT APPLIES TO REDEVELOPMENT AREAS ALREADY DESIGNATED WHILE ANY NEW AREAS MUST BE DESIGNATED UNDER SECTION 28 OF THE NEW PLANNING ACT 1983 AS COMMUNITY IMPROVEMENT PROJECT AREAS.

THIS PROGRAMME IS DESIGNED TO PROVIDE LOW INTEREST LOANS TO OWNERS OF COMMERCIAL PROPERTIES LOCATED IN BUSINESS IMPROVEMENT AREAS (B.I.A.'S). THE MAXIMUM LOAN AMOUNT IS ESTABLISHED AT \$15,000. PER BUILDING AT AN INTEREST RATE OF ONE-HALF THE RATE THE CITY COULD BORROW THE MONEY. THE LOANS WILL BE AMORTIZED OVER TEN (10) YEARS.

GUIDELINES

- LIMITED TO BUSINESS IMPROVEMENT AREAS (B.I.A.'S).
- ALL LOANS AT AN INTEREST RATE HALF OF THE CITY'S PRIME BORROWING RATE.
- MAXIMUM LOAN AMOUNT \$15,000. FOR FAÇADE AND EXTERIOR RENOVATION.
- MAXIMUM LOAN FOR FAÇADE \$10,000.
- LOAN AMORTIZED OVER TEN YEARS (OPEN).
- THE BUILDING ENVELOPE WOULD BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES WOULD HAVE TO BE CORRECTED BEFORE FAÇADE IMPROVEMENTS (STORE FRONTS, AESTHETICS, SIGNAGE, ETC.) WOULD BE CONSIDERED.
- LOAN SECURED BY LIEN ON TITLE. PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, APPRAISERS, SOLICITORS, ETC.) ELIGIBLE EXPENSE.
- OWNERS ONLY COULD MAKE LOAN. HOWEVER, TENANTS COULD WORK WITH LANDLORDS, BUT LANDLORD MUST TAKE THE FINANCIAL COMMITMENT.
- EQUITY MUST BE SUFFICIENT TO COVER OUTSTANDING PROPERTY COMMITMENTS INCLUDING CITY LIEN.
- REPAYMENT WILL BE ON A MONTHLY BASIS BUT OPEN TO FULL REPAYMENT AT ANY TIME AT NO PENALTY.
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAMME AFTER ORIGINAL CAPITAL BUDGET ALLOCATION.
- MAXIMUM LOAN TO ANY ONE OWNER \$50,000.
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS.
- LOANS TRANSFERABLE TO NEW OWNER PROVIDING NEW OWNER MEETS AND AGREES TO TERMS AND CONDITIONS OF LOAN.
- THE OWNER WILL OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR FAÇADE IMPROVEMENTS WANTED BY OWNER. (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION). A FULL REPORT WILL BE PREPARED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT INCORPORATING OUR RECOMMENDATIONS AND THE BUILDING DEPARTMENT'S. THESE, WITH THE APPLICATION, WILL THEN BE FORWARDED TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL FOR APPROVAL.

- PROPERTY TAXES MUST BE CURRENT.
- IF COST OF FAÇADE IMPROVEMENT EXCEEDS \$1,000., THE OWNER WILL BE REQUESTED TO OBTAIN THE SERVICE OF A DESIGN CONSULTANT TO ENSURE COMPATIBILITY WITH THE SURROUNDING PROPERTIES. ANY COST FOR THIS SERVICE WILL BE ELIGIBLE FOR FUNDING UNDER THE PROGRAMME.
- ONLY COMPLETED WORK WHICH HAS BEEN INSPECTED WILL BE PAID FOR.
- EXTERIOR REHABILITATION WORK WILL, IF AT ALL POSSIBLE, BE DONE FIRST BEFORE FAÇADE IMPROVEMENT.

CONCESSION STREET BUSINESS
IMPROVEMENT AREA

FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 1985

Appendix "M" as referred to in
Item 23 of the Fourteenth
Report for 1986 of the Planning
and Development Committee

Spicer MacGillivray
Chartered Accountants



Spicer MacGillivray

Chartered Accountants

M.P.O. BOX 679,
4 HUGHSON STREET SOUTH
HAMILTON, ONTARIO L8N 3M5
TELEPHONE: (416) 523-7732
CABLE: ESSANO HAMILTON

AUDITORS' REPORT

To the Board of Management
of the Concession Street
Business Improvement Area

We have examined the balance sheet of the Concession Street Business Improvement Area as at December 31, 1985 and the statement of revenue and expenditure and members' equity for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as were considered necessary in the circumstances.

In our opinion these financial statements present fairly the financial position of the organization as at December 31, 1985 and the results of its operations for the year then ended in accordance with accounting principles prescribed for Ontario Municipalities applied on a basis consistent with that of the preceding year.

Hamilton, Ontario,
April 24, 1986.

Spicer MacGillivray

CHARTERED ACCOUNTANTS.
Municipal Licence No. 1105

CONCESSION STREET BUSINESS IMPROVEMENT AREA
BALANCE SHEET
AS AT DECEMBER 31, 1985

A S S E T S

	1985	1984
CURRENT		
Cash	\$ 0	\$ 2,470
BIA levies receivable	1,978	525
Grant receivable	1,000	0
Prepaid expenses	150	0
	-----	-----
	\$ 3,128	\$ 2,995
	=====	=====

LIABILITIES AND MEMBERS' EQUITY

CURRENT		
Bank overdraft	\$ 881	\$ 0
Accrued liabilities	200	200
Accounts payable - City of Hamilton	1,376	275
	-----	-----
	2,457	475
MEMBERS' EQUITY		
	671	2,520
	-----	-----
	\$ 3,128	\$ 2,995
	=====	=====

APPROVED ON BEHALF OF THE BOARD
OF MANAGEMENT

Les Amiselle PRESIDENT CBIA
R. Parfitt VICE PRESIDENT CBIA

CONCESSION STREET BUSINESS IMPROVEMENT AREA
NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 1985

1. BASIS OF ACCOUNTING

Revenue and expenditure are recorded on the accrual basis. The accrual basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

2. FIXED ASSETS

The historical cost and accumulated depreciation for fixed assets are not recorded. Fixed assets are reported as expenditures in the year of acquisition.

3. COMPARATIVE FIGURES

Certain comparative figures for 1984 have been restated to agree with the financial statement presentation adopted for 1985.

CONCESSION STREET BUSINESS IMPROVEMENT AREA
STATEMENT OF REVENUE AND EXPENDITURE AND MEMBERS' EQUITY
FOR THE YEAR ENDED DECEMBER 31, 1985

	1985	1984
	-----	-----
REVENUE		
B.I.A. assessment levy	\$ 12,458	\$ 12,250
Government grants	1,000	2,170
Homecoming	304	2,275
Other revenue	3,490	582
	-----	-----
	17,252	17,277
	-----	-----
EXPENDITURES		
Promotion	4,580	2,912
Christmas decorations	8,970	6,482
Homecoming	3,997	2,092
Newsletter	206	254
Wages	0	1,543
Office supplies	211	401
Audit fees	200	200
Rent	0	100
Insurance	267	225
Bank charges	50	18
Miscellaneous	620	530
	-----	-----
	19,101	14,757
	-----	-----
(DEFICIT) EXCESS OF REVENUE OVER EXPENDITURE FOR THE YEAR	(1,849)	2,520
MEMBERS' EQUITY - Beginning of Year	2,520	0
	-----	-----
MEMBERS' EQUITY - End of Year	\$ 671	\$ 2,520
	=====	=====

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet, upon the hereinbefore described land by not later than April 26th, 1987

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than April 26th, 1988

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "N" as referred to in Item 25 of the Fourteenth Report for 1986 of the Planning and Development Committee

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Legislation Committee presents its ELEVENTH Report for 1986 and respectfully recommends:

1. That the City Solicitor be authorized and directed to prepare a by-law to repeal The Retail Gasoline Shops Early Closing By-law 9396.
2. That the following teams from the Hamilton Aquatic Waterpolo Club be presented with civic awards.
 - (a) Hamilton Juniors for winning the Provincial Aquatic Championships in Toronto, Ontario on 1986 April 11 and 12.
 - (b) The Juvenile Team for winning the Provincial Championships in Guelph, Ontario on 1986 April 26.
 - (c) Hamilton Senior "A" for winning the Ontario Senior B Championship.

NOTE: The Juvenile Team is eligible for silver pins and the Senior and Junior Teams are eligible for gold pins.

3. That sterling silver civic rings be awarded to the Transway Juvenile Basketball Team who won the Eastern Canadian Juvenile Basketball Championship in St. John, Newfoundland.

NOTE: There is no Western Canadian division, the Eastern Canadian Championship is the highest level of competition.

4. That permission be granted to the Hamilton Disarmament Coalition to use the following City Hall Facilities for the Hiroshima-Nagasaki Remembrance Vigil to take place 1986 August 6-9:
 - i) Use of City Hall forecourt from 1986 August 6-9.
 - ii) Permission to use the electrical outlets outdoors.
 - iii) Permission to use the washroom facilities.
 - iv) Permission to post signs and a banner on the City Hall balcony from 1986 August 6-9.

5. That permission be granted to the Hamilton & District Labour Council for the following preparations for the Labour Day Parade to take place on Monday, 1986 September 1st:
 - i) Twenty-five chairs to be set up for the band's use from 11:00 o'clock p.m., at City Hall.
 - ii) A Parade stand to be set up on the north-east side of Wellington and King Streets.
 - iii) Permission to use the washroom facilities at City Hall between the hours of 11:00 o'clock a.m. to 1:00 o'clock p.m.
 - iv) Permission to fly the Canadian Labour Congress Flag.
 - v) Use of City Hall Council Chambers for the Proclamation of "Union Label Buying Week".
 - vi) Approval for staff time of approximately \$250.00 to be charged to Account No. 0321-0760 (use of City Hall Facilities by Outside Groups).
6. That permission be granted to the Hamilton-Wentworth Lung Association to place a Christmas Seal Banner on the City Hall balcony from 1986 November 3-14th; and to fly the Cross of Lorraine flag for the month of November.
7. That permission be granted to The Canadian Red Cross Society to hang a banner on the City Hall balcony from 1986 July 28 to August 8 to promote their Blood Donor Blitz.
8. That the following resolution by the Windsor City Council be endorsed:

"WHEREAS the modern Black leadership, for example Bishop Tutu, is convinced that the only possible peaceful way to achieve true democracy in South Africa is through the application of economic sanctions;

BE IT RESOLVED that the Federal Government BE REQUESTED to consider applying immediate and full economic sanctions against the Government in South Africa; and further, that a copy of this resolution BE CIRCULATED among other Ontario municipalities with a population of over 50,000 for endorsement."

9. That the following resolution by the Town of Oakville be endorsed:

"That the Mayor be authorized to write to Mr. Kwinter, Minister of Consumer and Commercial Relations, and indicate to him that this municipality strongly opposes any legislation that would confer on municipalities the right to permit or not permit the sale of beer and wine in corner stores, and further, a copy of this resolution be circulated to all municipalities in excess of 50,000 population and it be brought to the attention of A.M.O. at their annual conference in August to seek their support."

10. That the following tax adjustments as recommended by the Tax Appeals Review Committee at its meeting held 1986 July 2 be approved:

Appeal	Amount			
	(1)	(2)	(3)	(4)
Schedule "A"			Tax	
Compassionate	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$ 16,190.00	\$ 3,000.00	\$ 910.00	\$ 3,910.00
Schedule "B"	(1)	(2)	(3)	(4)
Business			Tax	
	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$2,063,504.19	\$1,115,866.35	\$104,239.65	\$1,220,106.00
Schedule "C"	(1)	(2)	(3)	(4)
Realty			Tax	
	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$ 262,474.83	\$ 263,175.87	\$ 32,730.88	\$ 295,906.77

11. That the City of Hamilton support the Warburton family's request to the Attorney General of Nova Scotia for a Judicial Inquiry into the recent search for their son.

NOTE: It is the family's intent that this Judicial Inquiry be conducted to ensure that any future incidents of this nature be handled in the most efficient method possible.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder, Acting Secretary
1986 July 14

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its TENTH Report for 1986 and respectfully recommends:

1. Approval of the following reclassifications in the City Solicitor's Department:
 - (a) Solicitor, Salary Schedule 121, \$48,548 - \$58,926 per annum to Salary Schedule 122, \$51,350 - \$63,466 per annum, effective January 1, 1986.
 - (b) Solicitor I (3 positions), Salary Schedule 119, \$42,180 - \$50,304 per annum to Salary Schedule 120, \$45,462 - \$54,667 per annum, effective January 1, 1986.
2. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to July 7, 1986, as set out on the list attached hereto as Schedule "A".
3.
 - (a) Approval of the land acquisition project for a fire station at Stone Church Road and Upper Wellington, as provided for in the 1986 portion of the 1986-1990 Capital Budget, Number 36526, at an estimated gross cost of \$160,000.00.
 - (b) That the Executive Committee recommend to City Council the amount and source of funds to be provided for this capital project.
 - (c) That the Director of Real Estate be authorized and directed to negotiate the purchase of approximately one acre of land near either the south-west or south-east corner of Stone Church Road and Upper Wellington, and that the offer be subject to the approval of the funding of this acquisition.

4. Approval of the awarding of the following contract:-

LANGLEY PARISIAN LTD., Hamilton, Ontario.

- (a) For dry cleaning services for the Fire Department, in accordance with specifications and Vendor's Tender at the following unit prices:

	<u>1986</u>	<u>1987</u>	<u>1988</u>
Uniform Trousers	\$1.05	\$1.10	\$1.15
Uniform Tunics	1.05	1.10	1.15
Raincoats	2.45	2.55	2.65
Nylon Parkas	2.45	2.55	2.65
Uniform Shirts	.51	.53	.55
Uniform Skirts	1.05	1.10	1.15
Uniform Slacks	1.05	1.10	1.15

Contract to end December 31, 1988.

Note: Lower of two (2) tenders received. Funds provided in Accounts 0341-0125/0425.

This contract to be awarded subject to the review and approval of the City Solicitor.

- (b) With the adoption of the foregoing, it is recommended that Section 3 of the Fourth Report of the Personnel Committee which was adopted by City Council at its meeting held March 25, 1986, awarding this contract to Cleantex Inc., be rescinded, as this contract was not executed by the company.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1986 July 16.

This is Schedule "A" referred to in Section 2 of the
Tenth Report of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Colin Barty	Equipment Repairman	Culture & Recreation	additional staff (budget approval)	D-11	\$11.586 per hour	86/06/16
Mr. Luigi Cialini	Gardener II	Parks Division of Public Works	replacing Robert Duckworth - promoted	D-7	\$11.287 per hour	86/06/09
Mr. Douglas Clark	Senior Building Inspector	Building	replacing Raymond Newman - retired	A-16	\$662.24 per week	86/06/16
Mr. Anthony Christison	Street Sweeper Operator	Public Works	replacing Lawrence Torresin - promoted	D-9	\$11.402 per hour	86/06/08
Mr. John Cowles	Lead Hand (Trees)	Parks Division of Public Works	replacing Leonard Lockwood - transferred	D-11	\$11.586 per hour	86/06/02
Mrs. Nancy Daines	Microfilm Technician II	Building	new position (grievance settlement)	E-1	\$296.86	86/06/02 per week
Mr. Jose De Morais	Concrete Finisher (districts)	Public Works	replacing Domenico Chiota - retired	D-8	\$11.144 per hour (prob. rate)	86/06/09
Mr. Daniel Dube	Community Renewal Officer	Community Dev.	replacing Jayne Tollefsen - promoted	A-9	\$522.85 per week	86/06/16

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Thomas Durney	Sign Painter	Traffic	replacing Donald Dimascio - promoted	A-5	\$432.55 per week	86/06/09
Mr. Larry Fair	Maintenance Man III	Property Mtce. Div. of Real Estate	additional staff (budget approval)	M-11	\$12.494 per hour	86/06/09
Mr. Brad Fleming	Lead Hand (Trees)	Parks Division of Public Works	replacing Robert Linger - transferred	D-11	\$11.586 per hour	86/06/02
Miss Michelle Forrester	Stenographer III	Building	replacing Sandra O'Connor - resigned	E-3	\$333.04 per week	86/05/26
Mr. Martin Glavac	Gardener I	Parks Division of Public Works	replacing George Gibbs - transferred	D-9	\$11.402 per hour	86/06/09
Mr. Michael Green	Lead Hand (Trees)	Parks Division of Public Works	replacing Steve Magdic - promoted	D-11	\$11.586 per hour	86/06/02
Mr. Peter Hickey	Street Sweeper Operator	Public Works	replacing John Laurie - promoted	D-9	\$11.402 per hour	86/06/02
Mrs. Helen Huculiak	Secretary B	Building	replacing Helen Elenuck - retired	110	\$23,059.92 per annum	86/06/02

Prepared 1986 July 07

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Richard Kuipers	House Plan Examiner & Draftsman	Building	replacing John Thomas - promoted	A-8	\$452.99 per week	86/06/02
Ms. Laurel Lachance-Hass	Stenographer I	Traffic	additional staff (budget approval)	E-5	\$374.37 per week	86/06/09
Mrs. Beverley Lafave	Stenographer II	Building	returning to perm. position (was temp. replacing H. Elenuck - retired)	E-4	\$391.82 per week	86/06/02
Mr. Adam Marynowicz	Gardener I	Parks Division of Public Works	replacing Joseph Farbotko - retired	D-9	\$11.402 per hour	86/06/09
Miss Sandra McMurrich	Typist Clerk II	Treasury	replacing R. Didionede - terminated	E-2	\$324.86 per week	86/06/18
Ms. Jacqueline McNeilly	Co-ordinator of Community Renewal	Comm. Dev.	replacing Norman McMenemy - resigned	116	\$33,322.12 per annum	86/06/02
Miss Diane Occhiuto	Clerk Typist III	Culture & Recreation	additional staff (budget approval)	E-1	\$296.86 per week	86/06/23
Mr. James Pearson	Equipment Repairman Helper	Culture & Recreation	returning to perm. position (was temp. replacing O. Theroux - off sick	D-7	\$11.287 per hour	86/06/27

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Zeltite Race	Typist Cashier II	Building	additional staff (budget approval)	A-3	\$377.25 per week	86/06/02
Mr. Romas Rimkus	Labourer	Public Works	transferred as per employee's request	D-5	\$11.161 per hour	86/06/02
Mr. Scott Weaver	Gardener I *	Parks Division of Public Works	replacing Giuseppe Giordano - retired	D-9	\$11.402 per hour	86/06/09
Mr. Russell Webb	Sports Groundsman	Parks Division of Public Works	replacing Robert Mountain - deceased	D-9	\$11.402 per hour	86/06/02
Ms. Lillian Wilson	Asst. Supervisor - Payroll Control	Treasury	replacing Barbara Bazinet - promoted	112	\$26,679.64 per annum	86/06/02

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THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Bailey	Foreman III (Districts)	Public Works	retired	29 years & 2 months	86/06/30
Mr. Kenneth Braid	Lieutenant	Fire	retired	38 years & 4 months	86/06/30
Mrs. Karol Coulson	Secretary B	Treasury	resigned	17 years	86/06/11
Mrs. Lynn Dale	Legislative Assistant	City Clerk's	resigned	4 years & 5 months	86/06/27
Mr. Jose De Moraes	Cement Finisher (Districts)	Public Works	resigned	2 weeks	86/06/18
Mr. Raymond Newman	Senior Building Inspector	Building	retired	31 years	86/06/27

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Lawrence Dunn	Maintenance Foreman (Parks) (temporary)	Parks Division of Public Works	additional staff	13C	\$25,614.16 per annum	86/06/17
Mr. Peter Gravelle	Rink Attendant (temporary)	Culture & Recreation	replacing Terry Mroz - on Workers' Comp.	D-5	\$11.161 per hour	86/06/02
Mr. James Mackey	Maintenance Foreman (Parks) (temporary)	Parks Division of Public Works	additional staff	13C	\$25,614.16 per annum	86/06/17
Mr. Richard Melanson	Rink Attendant (temporary)	Culture & Recreation	replacing Harry Meloche - off sick	D-5	\$11.161 per hour	86/06/02
Miss Rosemarie Miksa	Smoking By-law Information Officer (temporary)	City Clerk's	new position as approved	SE-2	\$262.50 per week	86/06/09
Miss Karen Morgan	Lifeguard I (temporary)	Culture & Recreation	replacing Gale Payne - temp. promoted	CH-5	\$342.32 per week	86/06/16
Ms. Gale Payne	Pool Supervisor (temporary)	Culture & Recreation	replacing Debbie Drummond - maternity leave	110B	\$21,211.32 per annum	86/06/16

Prepared 1986 July 07

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Linda Ross	Key Punch Operator I (temporary)	Treasury	replacing Susan Mayne - temp. promoted	E-3	\$333.04 per week	86/06/23
Mr. John Spolnik	Senior Building Inspector (temporary)	Building	additional staff (Council Approval)	A-16	\$662.24 per week	86/06/16
Mr. Lloyd Staley	Smoking By-law Information Officer (temporary)	City Clerk's	new position as approved	SE-2	\$262.50 per week	86/06/09
Mr. Ray Watt	Maintenance Foreman (Parks) (temporary)	Parks Division of Public Works	additional staff	13C	\$25,614.16 per annum	86/06/17

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Martin Rivest	Student At Law (temporary)	City Solicitor's	terminated	6 months	86/07/04
Mr. Daniel Spicer	Journeyman Carpenter (temporary)	Prop. Mtce. Div. of Real Estate	terminated	3 months	86/06/27

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SEVENTEENTH Report for 1986 and respectfully recommends:

1. (a) That City Council form a Computer Advisory Committee comprised of three elected representatives, three members of staff plus three leading industrialists. This Committee will draw up a master plan and generally oversee the use of computers at City Hall.
- (b) That the City Clerk contact other leading municipalities in Ontario and ask them to form a similar committee. These committees would be asked to meet semi-annually to pool ideas.
- (c) That the City Clerk request the appropriate Provincial Government Ministries to subsidize all aspects of computer spending (hardware, software, programs and maintenance).
- (d) To attain a goal of centralizing appropriate data in one computer as quickly as possible.

NOTE: Previously distributed to the members of City Council were copies of a report dated July 19, 1986 from Alderman P. O. Valeriano, Chairman, Finance Committee which provided background information relative to this recommendation. Additional copies, if required are available from the Secretary, Finance Committee.

2. That a purchase order be issued to J. P. Hammill & Son Ltd., Guelph for the supply and delivery of 1 120 pairs of Workmen's Uniform trousers and 370 pairs of Workmen's Uniform overall pants, for a total cost of \$20 387.25 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of three tenders received. Funds provided in account #0395-1023.

3. That a purchase order be issued to Ashbourne Eden Enterprises, Toronto, for the supply and delivery of 280 Workmen's Uniform short sleeve shirts, 560 Workmen's Uniform Long Sleeve shirts and 200 Workmen's crested coveralls, for a total cost of \$13 188.82 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of seven tenders received. Funds provided in account #0395-1023.

4. That a purchase order be issued to Western Plumbing and Heating, Hamilton for the removal of existing and re-installation of replacement filter media at Ryerson Recreation Centre for a total of \$10 778 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's quotation.

NOTE: Lowest of two (2) quotations received. Funds provided in account # 0328-9823.

5. That a purchase order be issued to Remdex Office Products, Mississauga in the amount of \$29 328.70 for the supply, delivery and installation at the Building Department, City Hall, of two (2) White Power Files Model 66114B Series 6600, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in account #0280-31.

6. That a purchase order be issued to Barton Auto Parts Ltd., Hamilton for the supply and delivery of brake products for trucks one (1) ton and under as and when required by various departments, to December 31, 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

(i)	Abex	Jobber less 15%
(ii)	Pamaco	Jobber less 20%
(iii)	Aimco	Jobber less 12%
(iv)	National	Jobber less 12%
(v)	Wagner	Jobber less 12%
(vi)	B.C.A.	Jobber less 12%

NOTE: Lowest of eight tenders received. Funds provided in various accounts.

7.
 - (a) That the Corporate Purchasing Policy for the Corporation of the City of Hamilton, its Boards, Commissions, Authorities and other organizations funded wholly or in part by the Corporation, appended hereto, as Schedule "A" be approved.
 - (b) That all previously approved purchasing policies for the Corporation of the City of Hamilton be rescinded.
 - (c) That the Council of the Corporation of the Regional Municipality of Hamilton-Wentworth be requested to adopt a corporate purchasing policy consistent with this policy.

NOTE: This will necessitate the Region amending its policy to provide for the following:

- (i) Change the Canadian Content Preference from 10% to 15%.
- (ii) Reduce the spending limits and authorizations for staff from \$25 000 to \$10 000.
- (iii) Implement a South African Policy that states the Region of Hamilton-Wentworth and its agencies, Boards and Commissions will not purchase raw materials, partially finished or finished goods, food or beverages of South African origin.

8. That the following resolution, which was approved by The Hamilton Municipal Retirement Fund (HMRF) Committee on Wednesday, June 25, 1986 be approved:

- (a) That the Hamilton Municipal Retirement Fund (HMRF) Committee be disbanded.
- (b) That the City of Hamilton Finance Committee assume all the responsibilities of the HMRF Committee, as outlined in the HMRF By-law 7970, and that the City Solicitor be instructed to amend By-law 7970 accordingly.

NOTE: This by-law will require Ministry of Municipal Affairs approval after the second reading by City Council with the third reading presented to City Council after Ministry approval has been received.

- (c) That an HMRF Sub-Committee of the Finance Committee be created to be comprised of the Chairman and Vice-Chairman of the Finance Committee, Chairman and Vice-Chairman of the Personnel Committee and to include two staff members, one representing the firefighters and the second person representing the department heads and deferred pensioners and the Secretary of the committee be the Supervisor of Pensions and Group Insurance from the Treasury Department.

NOTE: The purpose of this sub-committee will be to actively administer the Fund and to bring forward appropriate resolutions for consideration by the Finance Committee.

- (d) That the Finance Committee consider a procedure to have a representative of the HMRF pensioners appointed to the sub-committee.

9. That the settlement amount of \$1 834 529.46 received from the Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) June 30, 1986 be credited to the "Victor K. Copps Arena/Trade Centre", to be applied to the unfinanced portion of the capital cost and that the remaining debenturing requirement as shown in the 1986-1990 Capital Budget for this project at \$3 470 000 be reduced by \$1 834 500 to \$1 635 500.
10. (a) That an agreement in a form satisfactory to the City Solicitor be entered into with Data Security Services, Toronto, Ontario for the supply of off-site Security Storage services for the period from 1986 August 1 through 1988 November 30th, inclusive, renewable annually at a cost of \$3 400.
11. (a) That the Consulting Firm of Thorne, Stevenson & Kellogg be retained for the joint Information Systems Strategy Study for the Corporation of the City of Hamilton, the Regional Municipality of Hamilton-Wentworth, and the Hamilton Public Library Board, on the understanding that the consultants will commence this assignment approximately August 1, 1986 to be completed by the end of October 1986, for a maximum fee of \$80 000 (including expenses).
- (b) That the City of Hamilton's share of this fee (\$36 800) be financed from account number 0323-1456 (Consultant's Fees).
- (c) That approval of this recommendation be subject to approval by the Region of Hamilton-Wentworth Council and the Hamilton Public Library Board.
12. (a) That the Central Processing Unit, Disk drives and peripheral devices be leased from the Supplier(s) indicated in the following table for the leasing period and for the amounts indicated.

	<u>Item</u>	<u>Supplier</u>	<u>Mo. Lease</u>	<u>Term</u>	<u>Start</u>
(i)	4381-Pl2 Central Processor	*Scott	\$16 414	43 mos.	Oct 1'86
(ii)	Q13 Upgrade	*Scott	\$ 6 795	36 mos.	May 1'87
(iii)	3205 Console	*Scott	\$ 116	43 mos.	Oct 1'86
(iv)	2X 3179 Terminals	#Canada Lease	\$ 94	43 mos.	Oct 1'86

(v)	3380 AE4 Disk Drive	*Scott	\$ 4 146	43 mos.	Oct. 1'86
(vi)	3380 AE4 Disk Drive	*Scott	\$ 4 706	40 mos.	Jan. 1'87
(vii)	2X 3380 BE4 Disk Drives	*Scott	\$ 6 634	43 mos.	Oct. 1'86
(viii)	3380 BE4 Disk Drive	*Scott	\$ 3 317	40 mos.	Jan. 1'87
(ix)	3380 BE4 Disk Drive	*Scott	\$ 3 396	36 mos.	May 1'87
(x)	3880-003 Controller	+Lease Tech	\$ 1 520	43 mos.	Oct. 1'86
(xi)	3725 Channel Adapt.	*Scott	\$ 268	43 mos.	Oct. 1'86
(xii)	2X 3174-01L Communications Controllers	*Scott	\$ 1 239	43 mos.	Oct. 1'86
(xiii)	3880 01/03 Upgrade	*Scott	\$ 102	40 mos.	Jan. 1'86

* Scott Computer Leasing Inc. (Mississauga, Ontario)
 # Canada Lease (Mississauga, Ontario)
 + Lease Tech (Toronto, Ontario)

- (b) That a lease agreement in a form satisfactory to the City Solicitor be entered into between the Corporation of the City of Hamilton and the above noted firms.
- (c) That these agreements shall terminate on November 30, 1988 with an option in favour of the City to renew the contracts for the additional months beyond November 30, 1988, at the rates specified in their proposal forms.

NOTE: Funds for 1986 rental have been provided in account #0323-1584 (Rental Computer Equipment).

The Finance Committee further wishes to advise that the funding of \$1 500 000 (project #36294) for the purchase of a Central Processing System included in the 1986/1990 Capital Budget will not be required.

13. That the claim of John Hobbins against Strand Tavern (Hamilton) Ltd. and the Corporation of the City of Hamilton, be settled in the amount of \$2 500 inclusive of interest and costs with the insurers for the Strand Tavern paying \$2 000 and the City paying \$500.

NOTE: By County Court writ issued March 23, 1984, John Hobbins commenced action against the City and Strand Tavern for damages resulting from a broken shoulder he suffered when he fell on the City sidewalk while entering the Strand Tavern at 264 Dundurn Street South on March 5, 1984. He alleged that his fall was due to ice and snow on the sidewalk and claimed \$25 000 plus interest and costs. A pre-trial was held on June 25, 1986 before Judge Stayshyn who indicated that the matter should be settled in the amount of \$2 500 inclusive of interest and costs with the insurers for the Strand Tavern paying \$2 000 and the City paying \$500.

14. That the claim of Joan Lee against the City be settled in the amount of \$3,185 inclusive of interest and costs.

NOTE: Mrs. Lee commenced action against the City by Writ of Summons dated September 14, 1984 for damages she suffered in a fall on July 10, 1984 on the municipal sidewalk in front of 19 San Fernando Drive. She suffered injury to her right foot and claimed damages of \$30 000 plus interest and costs.

15. That the claim of Ferdinando Ricciardone and the claims of the City related to Ferdinando Ricciardone against Crayford Enterprise Ltd. et al be settled in the amount of \$132 000 inclusive of interest and costs.

NOTE: On August 18, 1981, Mr. Ricciardone, a City employee, was struck from behind by a back-hoe owned by Crayford Enterprise Ltd. and operated by Peter Guindon. Mr. Ricciardone suffered serious injuries to his spine and right leg and about two weeks later suffered a heart attack. Mr. Ricciardone is presently 64 years of age and has been unable to return to work since the accident.

After deduction of the City's expenses there will remain a surplus of \$35 000. In accordance with the provisions of Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and Application by Mr. Ricciardone, it is recommended that payment of the surplus be made to Mr. Ricciardone. Said surplus remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which Mr. Ricciardone may become entitled to from the Workers' Compensation Board with respect to this accident. The City's expenses include approximately \$50,000 for reimbursement of wages paid by the Workers' Compensation Board, \$2,000 for reimbursement of medical expenses paid by the Workers' Compensation Board, \$30,000 for reimbursement of a disability award to Mr. Ricciardone by the Workers' Compensation Board and \$15 000 for other expenses, costs and interest.

16. (a) That the City Solicitor be directed to take the necessary action to secure payment of the 1985 rent of \$600 plus the 1985 taxes of \$1,622.71 from T.M. Spratt Limited for lands located on the north west corner of York Boulevard and James Street North leased from the City.
- (b) That the lease with T.M. Spratt Limited be officially terminated.
- (c) That the Public Works Department be directed to erect concrete barriers along the perimeter of the City's property on the north west corner of York Boulevard and James Street North to prevent unlawful parking on City land, and to undertake a general clean up of the area.
- (d) That the estimated cost of \$400 to undertake this work be charged to the Unclassified Account 0378-2700.
17. That leave be granted to introduce the following bills:
- (a) G-24 By-law to Amend Procedural By-law 82-203 Respecting the Duties of the Finance Committee.
- (b) G-25 By-law to Amend H.M.R.F. By-law 7970 Respecting Administration.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

J.J. Schatz,
Acting Secretary
1986 July 15

CORPORATE POLICY NUMBER 1		Page #1
Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: SCOPE OF PURCHASING POLICY		Date
		Reference
This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____		
<u>Draft Policy:</u> <p>The Purchasing Policy of the City shall apply to all City Departments, without exception and shall be implemented in accordance with authorized procedures and within authorized budgets.</p> <p>All Boards, Commissions, Authorities and other organizations funded wholly or in part by The Corporation of the City of Hamilton, hereinafter referred to as Agencies, shall adopt this policy revising only the approval group or individual in the appropriate place in each policy.</p> <ul style="list-style-type: none"> - City Council - Chief Administrative Officer - Director of Purchasing 		
Policy Manual Tab - <u>Treasury</u> Section - <u>Purchasing</u> Information: Subject - <u>Scope of Policy</u>		
Procedures: Attached _____ Not Required _____ X Included in (Manual Name) _____		
Approved: Prog. Mgr. _____ Director _____ Dept. Head _____		

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee		Policy #
Subject: CO-ORDINATED PURCHASING PROGRAM	Adopted by Council-	Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City to operate a co-ordinated program where all Agencies must be required to use the services of the Purchasing Department of the City when:

- a) purchasing items that are common to the Body and The Corporation, and
- b) to consult with the Purchasing Department of the City when purchasing items not common to that Body and the City.

Construction tenders and demolition contracts shall include with other requirements those stated on Appendix pages 91, 92.

NOTE: Authorized exceptions to this policy are to be found on page 6, Policy 6 of this manual.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Centralized Purchasing Program

Procedures: Attached _____ Not Required X
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: SPENDING LIMITS AND AUTHORIZATIONS		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of City Council to set the spending limits for all purchases based on total acquisition costs, excluding trade-ins, made for City Departments and authorize the signing authorities required for such spending limits.

- All Field Purchase Orders up to and including \$100 (all taxes included) shall require the approval of the Department Head or designate.
- All individual expenditures from \$101 up to and including \$5,000 shall require the approval of the Purchasing Department upon receipt of the purchase requisition authorized by the Department Head or designate.
- All individual expenditures from \$5,001 up to and including \$10,000 shall require the approval of the Chief Administrative Officer and the Department Head concerned.
- All individual expenditures exceeding \$10,000 shall require City Council approval.

Only the Purchasing Director or his designate shall have the authority to sign a purchase order.

NOTE: Exceptions to this policy will be found in Corporate Policy #4.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Spending Limits and Authorizations

Procedures: Attached Pages 76 & 77 Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: EXCEPTIONS TO CORPORATE POLICY #3		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The City recognizes that emergency situations occur and to ensure continuous operation of an essential service, authorizes the following exceptions to Corporate Purchasing Policy #3.

In the case of an emergency:

- Individual expenditures up to and including \$5,000 shall be placed on approval of the Department Head or designate and on verbal approval of the Purchasing Department.
- Individual expenditures from \$5,001 up to and including \$10,000 shall be placed on approval of the Department Head and on verbal approval of the Chief Administrative Officer.
- All approvals received verbally must be confirmed in writing upon submission of the purchase requisition and the reason(s) for the emergency.
- Individual expenditures exceeding \$10,000 for any single expenditure shall be placed upon written approval of two of the following three persons:
 - a) Mayor
 - b) Spending Committee Chairman or Vice-Chairman
 - c) Chief Administrative Officer

Department Head to place an item on the next meeting of the Spending Committee explaining the action taken with reasons, costs, etc.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Exceptions to Corporate Policy #3

Procedures: Attached Pages 78 & 79 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:

Passed by Committee -

Supersedes:Prepared by: Purchasing Manual
Committee

Adopted by Council-

Policy #

Date

Subject: PURCHASING POLICY AND GUIDE-
LINE APPROVALS

Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

City Council shall approve all Corporate Purchasing Policies.

The Chief Administrative Officer shall have the authority to approve all
Administrative Purchasing Guidelines.The Director of Purchasing shall have the authority to develop procedures
to implement all approved purchasing policies and purchasing guidelines.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Policy and Guideline Approvals

Procedures: Attached _____ Page 35 Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: EXCEPTIONS TO POLICY #5		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The following are authorized exceptions to the City Purchasing Policy #2.

Exception #1: For supplies and services of common useage e.g. vehicles, stock items, stock equipment and supplies and services when the tender or quotation is called by an agency included in, or on behalf of, the Co-operative Purchasing Group.

Exception #2: The regular contractual process and the necessary approvals as outlined in Corporate Policy #3 for obtaining goods and/or services, shall not apply if obtained from - the Federal Government or its agencies, Provincial Government or its agencies, Local Boards and/or agencies, Crown Corporations, the Region, Area Municipalities and Special Purpose Bodies within the Region and City, including the public utility companies and the natural gas supplies.

Exception #3: Additional exceptions will be found on pages 83 & 84 of this manual.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Exceptions to Corporate Policy #5

Procedures: Attached _____ Not Required _____ X
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Policy Committee		Policy #
	Adopted by Council-	Date
Subject: CO-OPERATIVE PURCHASING		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The City and Agencies recognize that co-operative purchasing is beneficial, therefore, the Co-ordinator of Regional Purchasing is authorized to chair a Co-operative Purchasing Committee.

Definition of Co-operative Purchasing Agreement

Co-operative or collective purchasing is the joining together of two or more separate organizations for the purpose of preparing specifications and proposals, collectively receiving bids, and making an award to the vendor submitting the lowest acceptable Total Acquisition Cost.

Thereafter, each agency issues its own contract and is responsible for administering the remainder of the procurement function, namely, expediting, receiving, inspecting, storing and verifying invoices; and each agency is responsible for its own payments.

See Page 90 of this manual for Co-operative Purchasing Group membership.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Co-operative Purchasing

Procedures: Attached _____ Page 90 _____ Not Required _____
Included in (Manual Name) _____

Approved: _____
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee		Policy #
Subject: ENCOURAGE COMPETITIVE BIDDING	Adopted by Council-	Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City and Agencies

- to encourage open competitive bidding on all acquisition of goods and services where practical, and
- to procure by purchase, rental or lease, the required quantity and quality of goods and services in a cost-efficient and effective manner.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Competitive Bidding

Procedures: Attached _____ Not Required X
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee		Policy #
	Adopted by Council-	Date
Subject: DISPOSAL OF SURPLUS GOODS		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Only the Purchasing Department shall dispose of declared surplus property in the most cost efficient and effective manner after approval has been received from the Chief Administrative Officer, provided that any useable equipment or material has been offered first to other user Civic departments and Agencies, secondly to the Region, Area Municipalities, and then to public agencies within the Co-operative Purchasing Group.

No employee or elected official shall bid on the sale of goods except those disposed of by public auction or by sealed bids.

No employee of the City, working at the auction, shall bid for any such items.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Disposal of Surplus Goods

Procedures: Attached _____ Page 75 _____ Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference: Criminal Code of Canada
Sections 110 & 111

Passed by Committee -

Supersedes:Prepared by: Purchasing Manual
Committee

Adopted by Council-

Policy #

Date

Subject: EMPLOYEES PROHIBITED FROM
ACCEPTING REBATES MONEY ETC.

Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Corruption of Municipal Officials is expressly prohibited by Sections 110 and 111 of the Criminal Code. To be consistent with the Criminal Code, it shall be the policy of the City to prohibit every employee of The Corporation of the City of Hamilton and Agencies to accept, directly or indirectly any loan, reward, commission advantage or benefit, rebate, money, property, travel arrangements or gift of whatsoever kind or nature from any person, persons, firms, companies or corporations which have carried on or are carrying on any kind of business whatsoever with the Corporation of the City of Hamilton and Agencies.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Accepting Rebates or Money

Procedures: Attached Pages 70, 80 & 81 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:

Passed by Committee -

Supersedes:

Prepared by: Purchasing Manual
Committee

Adopted by Council-

Policy #

Subject: "TOTAL ACQUISITION COST"

Date _____

Reference

This Policy is: New- Existing- Revised- Rescinded-

Draft Policy:

The Purchasing Department shall consider total acquisition costs, rather than only the lowest cost received.

"Total acquisition cost" shall mean the most cost efficient and effective manner and shall be the sum of all costs, including purchase price, all taxes, Canadian Content, warranty, life cycle cost, operating and disposal costs, incurred for determining the lowest acceptable bid meeting the specifications.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - "Total Acquisition Cost"

Procedures: Attached _____ Page 37 Not Required _____
Included in (Manual Name) _____

Approved: _____
 Prog. Mgr. Director Dept. Head

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee		Policy #
	Adopted by Council-	Date
Subject: CANADIAN CONTENT & SOUTH AFRICAN POLICY		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Canadian Content
The City's Purchasing Policy is designed to stimulate and encourage Canadian manufacturing activity and to assist Canadian suppliers in competition for the supply of goods and services to the City.

The Purchasing Department requires a Canadian Content Preference of 15% on public tenders for the purchase of any single item or commodity grouping exceeding \$10,000, excepting those items covered by the Canada/U.S. Auto Pact.

NOTE: A Canadian Content form must be completed. The National Standard of Canada definition #2-147.3-82 shall be used as the criteria for the definition of Canadian Content.

Copy of Standard to be found on pages 87 to 89.

South African Policy
The City of Hamilton and its agencies will not purchase raw materials, partially finished or finished goods, food or beverages of South African origin.

Policy Manual Information:	Tab - <u>Treasury</u>	Section - <u>Purchasing</u>
	Subject - <u>Canadian Content</u> and South African Policy	

Procedures: Attached Pages 68 & 87 to 89 Not Required _____

Included in (Manual Name) _____

Approved:		
Prog. Mgr. _____	Director _____	Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: STANDARDIZATION		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City and Agencies to standardize goods and services purchased with a view to reducing the numbers acquired to the smallest number consistent with their needs.

Policy Manual Information: Tab - Treasury Section - Purchasing
Subject - Standardization

Procedures: Attached _____ Page 71 _____ Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

APPENDIX

CONSTRUCTION AND DEMOLITION CONTRACT REQUIREMENTS

- A. Contracts for construction and demolition work valued under \$25,000.
- a) Quotations to be invited and opened by the Director of Purchasing
 - b) Purchase order only to be issued
 - c) Public Liability and Property Damage Insurance where directed
 - d) Performance Surety is required where directed
 - e) Bid Surety is required where directed
 - f) No holdback be retained.
- B. Contracts for construction and demolition work valued at \$25,000 and up to \$50,000.
- a) Quotations to be invited and opened by the Director of Purchasing
 - b) Purchase Order only be issued
 - c) Two year warranty required
 - d) Public Liability and Property Damage Insurance required
 - e) Performance Surety required
 - f) Bid Surety required where directed
 - g) No holdback be retained
 - h) Short form specifications to be used
 - i) That the Bidders' Lists of the Purchasing Department of the City of Hamilton be updated at least annually by the placement of an advertisement in the Spectator inviting companies and individuals who may be interested in providing work, services or materials for the City to have their name placed on the City of Hamilton's Bidders' List.
 - j) The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Director of Personnel, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Director of Personnel to consider all claims made pursuant to this clause.
 - k) The contractor shall maintain a complete set of payroll, accounts and records relating to the project and the City Treasurer and the Director of Personnel may inspect such records.
 - l) A statement of the current status from the Workers' Compensation Board will be required from time to time.
 - m) Preference to employment of skilled or common labourers, or workmen who have resided in Hamilton for at least one year will be given.
 - n) Inspection testing and examination of the work required by the City in the specifications shall be done at the Contractor's own expense.
 - o) Inspection, testing and examination of the work as directed by the City, other than in the specifications, shall be done by the Contractor at the City's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections, testing and examinations shall be at the expense of the Contractor.
 - p) The contractor and sub-contractor be required to procure tenders or prices from local manufacturers.
 - q) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.

- C. Contracts for construction and demolition work valued at \$50,000 or more
- a) Tenders to be called
 - b) Formal Contract to be executed
 - c) Two year warranty required
 - d) Public Liability and Property Damage Insurance required
 - e) Performance Bond required
 - f) Bid Surety required
 - g) Ten percent (10%) basic holdback to be retained for a period of 45 days after publication of the Certificate of Substantial Performance and ten percent (10%) finishing holdback to be retained for a period of 45 days after completion of the contract.
 - h) Detailed and complete specifications required
 - i) The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Director of Personnel, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Director of Personnel to consider all claims made pursuant to this clause.
 - j) The contractor shall maintain a complete set of payroll, accounts and records relating to project and the City Treasurer and the Director of Personnel may inspect such records.
 - k) Before tenders estimated to be \$50,000 and over are advertised the project is to be approved by Council.
 - l) A statement of the current status from the Workers' Compensation Board will be required from time to time.
 - m) Preference to employment of skilled or common labourers, or workmen who have resided in Hamilton for at least one year will be given.
 - n) Inspection, Testing and Examination of the work required by the City in the specifications shall be done at the Contractor's own expense.
 - o) Inspection, Testing and Examination of the work as directed by the City, other than in the specifications, shall be done by the Contractor at the City's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections and examinations shall be at the expense of the Contractor.
 - p) The contractor shall insure all parties under his jurisdiction are informed of all conditions of the Tender/Contract Documents.
 - q) During periods of extreme unemployment, the City may request the Contractor to institute a work sharing program which must be agreed upon by the Contractor and the individual unions, if any.
 - r) The contractor and sub-contractor be required to procure tenders or prices from local manufacturers.
 - s) Withdrawal of sealed tenders after stated closing time will not be allowed. Sealed tenders will not be considered unless accompanied by prescribed sureties. Sealed tenders will not be accepted for any reason after official closing time.
 - t) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.
 - u) All sub-contractors and/or own forces are to be indicated on the list of sub-contractors or tenders may be considered an improper bid.

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer The Hamilton-Scourge Project presents its **SECOND** Report for 1986 and respectfully recommends:

1. That the pedestrian bridge for the Interpretive Centre for the Hamilton-Scourge Project at Confederation Park be proceeded with at an estimated cost of \$50,000.00 as provided for in the 1986 Capital Budget
2. That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project

Respectfully submitted,

ALDERMAN W. MCCULLOCH, CHAIRMAN

S. J. Dembe, Secretary
1986 July 22

The Council of the Corporation of the City of Hamilton enacts as follows:

1. Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Section 5 (One Hour Limit) the following items, namely:-

and by adding thereto the following item, namely:-

2. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

and by adding to Section 6 (One Hour Limit) the following item, namely:-

3. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

and by deleting therefrom the following item, namely:-

PASSED this day of , A.D. 1986.

Mayor

1

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Ferndale	Northbound	Dunkirk
Mountain Park	Eastbound and Westbound	Upper Sherman
Magnolia	Eastbound and Westbound	Daisy
East 18th	Northbound and Southbound	Bruce Dale".

2. Schedule 15 (Designated Traffic Lanes) is hereby amended by adding thereto the following items, namely:-

"Centennial	From 217 feet north of Barton to 165 feet south of Arrowsmith	Centre Lane	Anytime	Southerly to easterly and northerly to westerly".
Centennial	From 211 feet north of Delawana to 38 feet south of Violet	Centre Lane	Anytime	Southerly to easterly and northerly to westerly".

3. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Terrace	East	324 feet	commencing at a point 315 feet south of South Bend	7:00 a.m. - 6:00 p.m. Monday to Saturday".
----------	------	----------	--	--

and by deleting therefrom the following item, namely:-

"Terrace	East	240 feet	commencing at a point 315 feet south of South Bend	7:00 a.m. - 6:00 p.m. Monday to Saturday".
----------	------	----------	--	--

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 14 R.T.E.C. 35, July 22

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 40

Respecting:

LANDS LOCATED ON THE EAST SIDE OF MALL ROAD,
IN THE AREA SOUTH OF MOHAWK ROAD EAST

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 40 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

AMENDMENT NO. 40 TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A" hereto constitutes Amendment No. 40.

PURPOSE

The purpose of this Amendment is to delete a "Major Institutional" designation and substitute a "Commercial" designation for those lands shown on the attached Schedule "A".

LOCATION

The subject lands are located on the east side of Mall Road in the area south of Mohawk Road East.

BASIS

This Amendment can be supported on the basis that it:

- is contiguous to a Regional Shopping Centre (Limeridge Mall) which is the prospective owner;
- is suitably located in that it has dual access to two arterial roads (i.e. Mohawk Road via Mall Road and Upper Wentworth via Limeridge Mall). In addition, it is in close proximity to an interchange for the proposed Mountain Freeway at Limeridge Road and Upper Wentworth; and,
- would be compatible with surrounding development which includes commercial to the west and south (Limeridge Mall), Institutional to the north (church and school), and is buffered from residential development to the east by a hydro electric corridor.

ACTUAL CHANGE

Schedule "A" of the Official Plan - Land Use Concept be amended by redesignating the subject lands from "Major Institutional" to "Commercial" as shown in red on the attached Schedule "A" to this Amendment.

IMPLEMENTATION

A Zoning By-law Amendment will give effect to the intended use on the subject lands.

This is Schedule 1 to By-law No. 86- , passed on the day
of , A.D. 1986.

City Clerk

Mayor

CF/pb.

W.P. DOC. 2611P.

to the
official plan
for the
city of hamilton

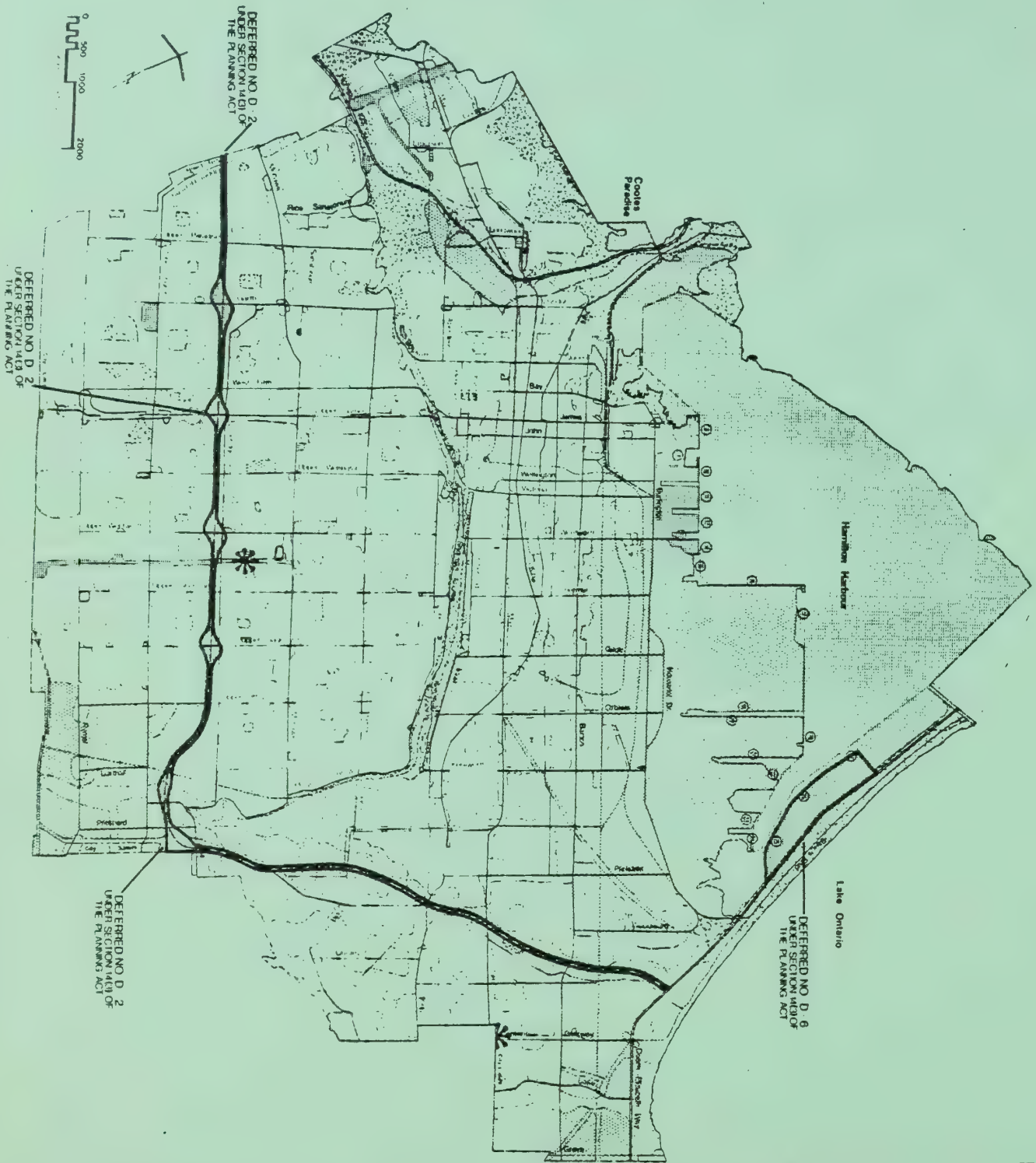
Change from "Major Institutional
to "Commercial"

date	drawn by	reference file no
June 27, '86	F.A.	P 6-2-40

legend

- [illegible]

to the official plan
for
the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 39

Respecting:

LANDS BOUNDED BY UPPER JAMES STREET, RYMAL ROAD,
UPPER WELLINGTON STREET AND STONE CHURCH ROAD

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 39 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

AMENDMENT NO. 39 TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A" hereto, constitutes Amendment No. 39.

PURPOSE

The purpose of this Amendment is to incorporate schedule changes to the Official Plan in recognition of the approved Ryckmans Neighbourhood Plan.

LOCATION

The lands affected by this Amendment are located in the Ryckmans Neighbourhood, which is bounded by Upper James Street, Rymal Road, Upper Wellington Street and Stone Church Road.

BASIS

The changes reflected in this Amendment reflect the recently approved Ryckmans Neighbourhood Plan and provides a basis for the rezoning of certain lands within the Neighbourhood. These land use changes are based on reports and other documentation contained in the Appendices of this Amendment.

ACTUAL CHANGE

Schedule "A" of the Official Plan (Land Use Concept), as amended, will be further amended as shown on the attached map being Schedule "A" to this Amendment.

IMPLEMENTATION

The provisions of Subsection "D" - Implementation of the City of Hamilton Official Plan, as amended, will apply to the implementation of this Amendment.

This is Schedule 1 to By-law No. 86- , passed on the day
of A.D., 1986.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Acting Mayor

Attach.

schedule A amendment no. 39

to the
official plan
for the
city of hamilton

legend

- Change from "Major Institutional" to "Open Space"
- Change from "Residential" to "Open Space"
- Change from "Open Space" to "Residential"
- Change from "Major Institutional" to "Residential"

scale
June 1985

drawn by
F.A.

reference file no.
PE-2-39

land use concept

legend

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schedule A
to the official plan
for
the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

OUTDOOR PATIOS

WHEREAS General Zoning By-law No. 6593 was enacted on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982;

AND WHEREAS it is intended to provide for special requirements for outdoor patios.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2(2)D of By-law No. 6593 is amended by adding thereto the following clause:

(viiia) "Outdoor Patio" shall mean an outdoor area used in association or conjunction with a restaurant or tavern where seating accommodation is provided and meals or refreshments are served to the public for consumption on the premises and for which a patio licence under The Liquor Licence Act has been issued;

2. Subclause (vii) of clause 2(2)D of the said By-law is amended by striking out the figure "1975" in the third and sixth lines and by striking out "Patio Licence" in the fifth line.

3. Subsection 13(1) of the said By-law is amended by adding thereto the following clause:

(viiia) An outdoor patio;

4. Subsection 13D(1) of the said By-law is amended by adding thereto the following clause:

(iva) Outdoor patio;

5. Subsection 15A(1) of the said By-law is amended by adding thereto the following clause:

(xia) an outdoor patio;

6. Table 4 referred to in clause 17C(1)(c) of the said By-law is amended by adding thereto, in numerical sequence of Identification Number, the following COMMERCIAL USE:

Identification Number	Use Not Prohibited	District				
		M11	M12	M13	M14	M15
9211.01	Outdoor Patio	X				
9212.01	Outdoor Patio	X				

7. Section 18 of the said By-law is amended by adding thereto the following:

SPECIAL REQUIREMENTS FOR OUTDOOR PATIOS

(11) Notwithstanding any of the provisions of the By-law, every outdoor patio shall comply with the following,

(a) Seating Capacity Requirement:

1. No outdoor patio shall provide for,
 - A. more than 50% of the seating accommodation permitted under The Liquor Licence Act to the restaurant or tavern with which the outdoor patio is associated, or
 - B. seating accommodation for more than 50 persons,whichever is the greater;

(b) Location Requirements:

1. Except as provided in paragraph 2, no outdoor patio shall be located where any lot line adjoins a residential district or is separated from a residential district by a lane or alley.
2. Where only the rear lot line adjoins a residential district or is separated from the residential district by a lane or alley, an outdoor patio shall not be prohibited in the front yard.
3. Where a lot adjoins a residential district or is separated from the residential district by a lane or alley, no outdoor patio shall be located above the elevation of the floor of the first storey of the principal building.

(c) Lighting Requirement:

1. All lighting for an outdoor patio shall be directed only towards and onto the area occupied by the outdoor patio and away from adjoining land, buildings and streets;

(d) Parking Requirement:

1. Notwithstanding section 18A, no parking spaces or loading spaces shall be required for an outdoor patio;

(e) Land Use Requirement:

1. No part of the land on which the outdoor patio is situate shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

(1986) 11 R.P.D.C. 7, May 27
City Initiative 85-F

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF MALL ROAD
IN THE AREA SOUTH OF MOHAWK ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "G-2" (Regional Shopping Centres) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "G-2" (Regional Shopping Centres) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) subsection 13B(5) of By-law No. 6593 shall not apply;
- (b) notwithstanding subsection 18A (26) of By-law No. 6593, no access driveway shall be located less than 1.5 m. from the northerly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-2" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-968".

5. Sheet No. E-27 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-968".

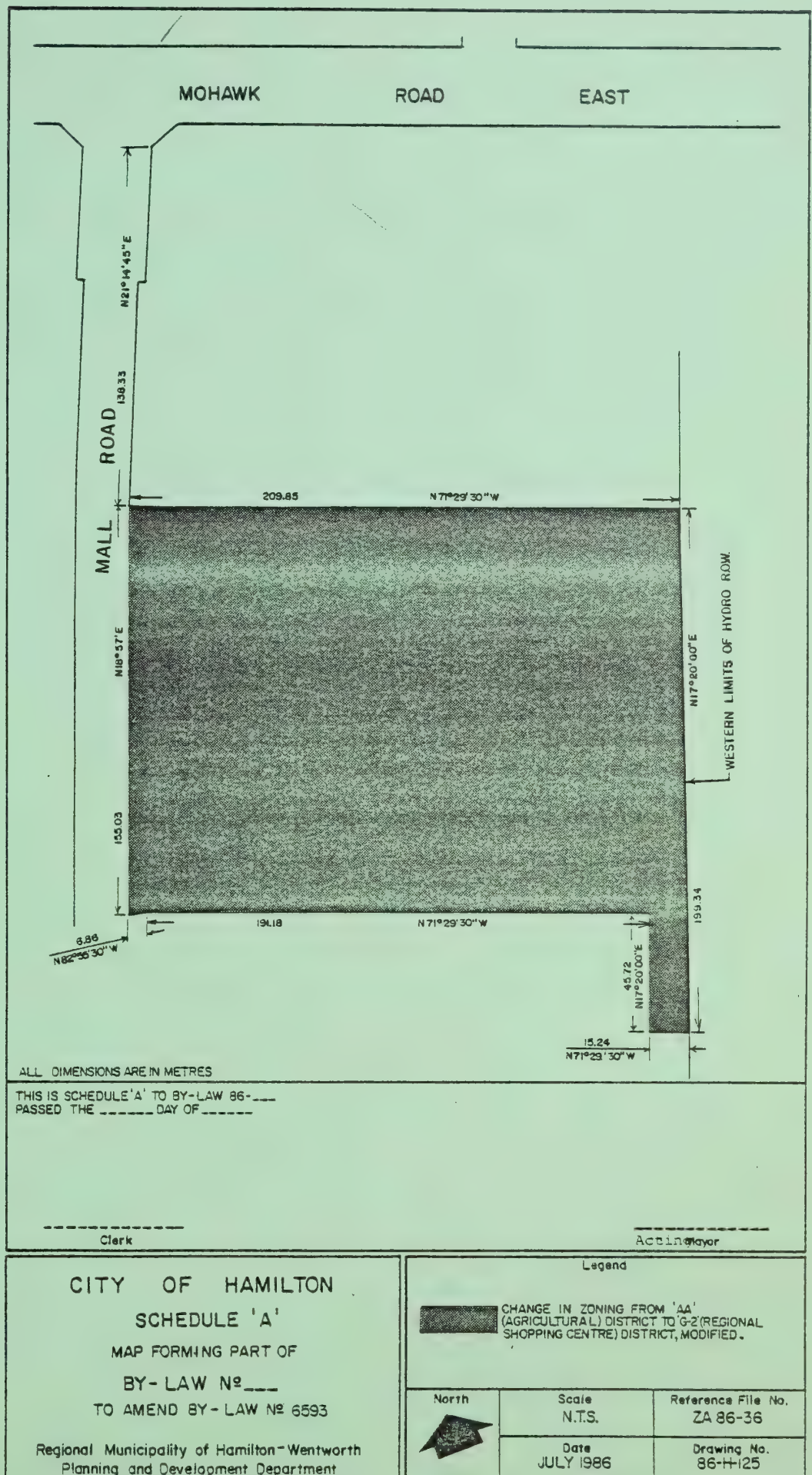
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

(1986) 13 R.P.D.C. 3, June 24
J. J. Barnicke Limited, Agent
ZA-86-36



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA WEST OF UPPER SHERMAN AVENUE
AND NORTH OF STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27B and E-27C of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Blocks 2, 3 and 4; and
- (c) by changing from "RT-20" (Townhouse - Maisonette) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 5,

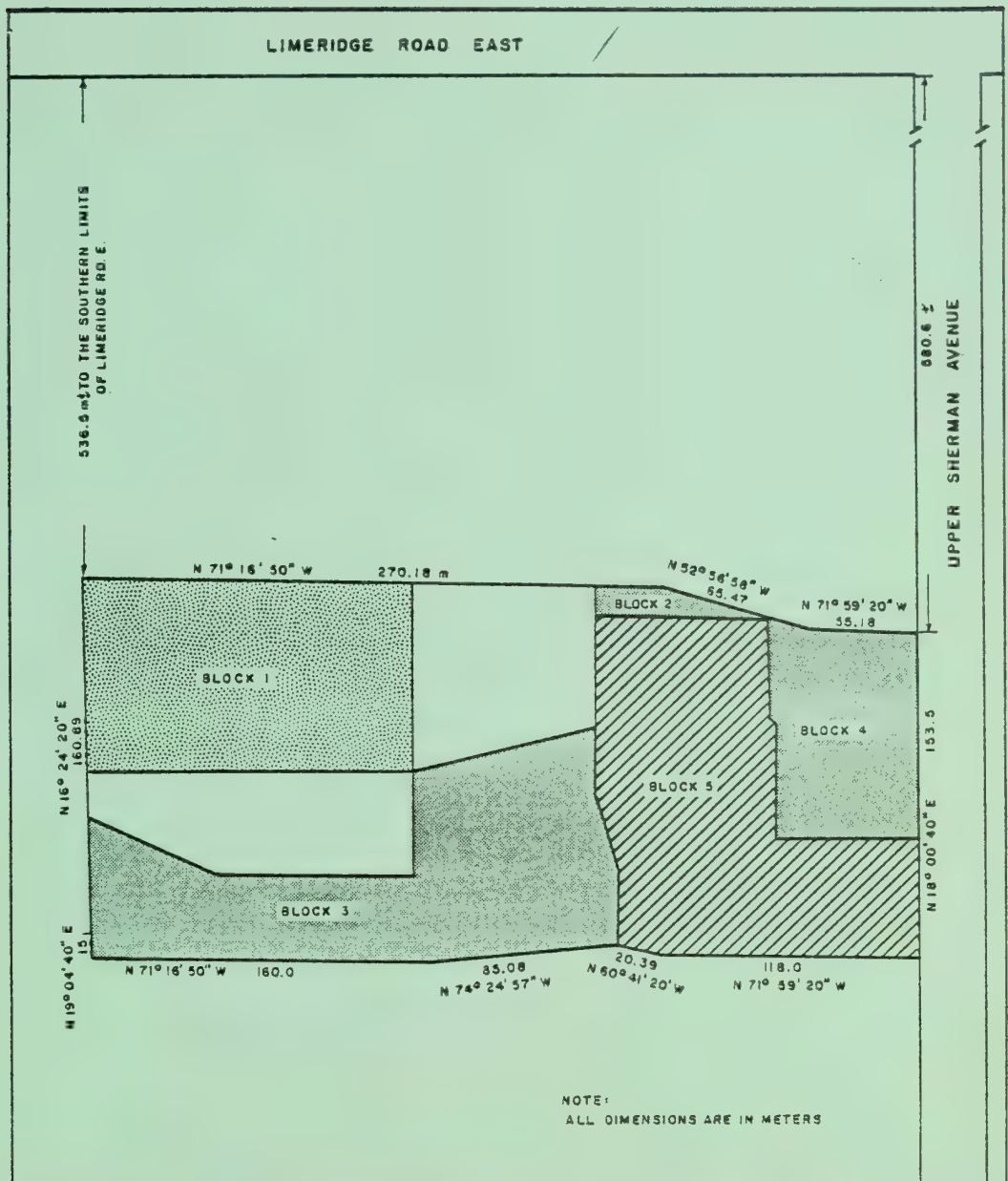
the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO. 86 - _____
PASSED THE _____ DAY OF _____

Clerk


Acting Mayor


CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593


Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM:

 "B" (SUBURBAN AGRICULTURE & RESIDENTIAL, ETC.) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCK 1

 "D" (URBAN PROTECTED RESIDENTIAL - ONE & TWO FAMILY DWELLINGS, ETC.) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCKS 2, 3 & 4

 "RT-20" (TOWNHOUSE-MAISONNETTE) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCK 5

North



Scale

NOT TO SCALE

Reference File No.

ZA-86-09

Date

86-06-16

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF GREENHILL AVENUE
AND SOUTH OF KING STREET EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-106 and E-107 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

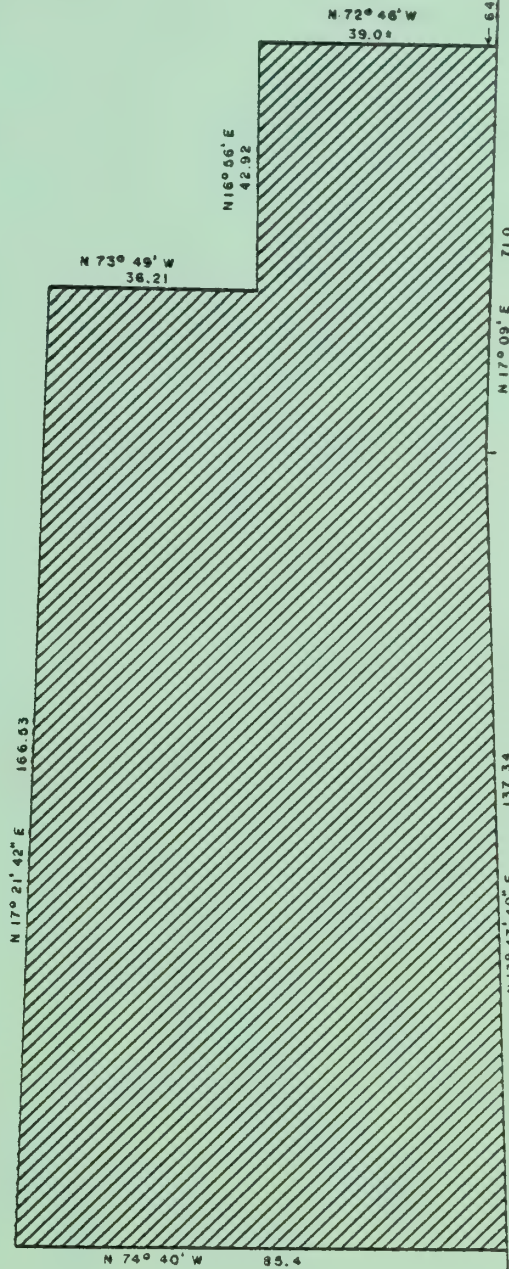
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

ALL DIMENSIONS ARE IN METERS



TO THE SOUTHERLY LIMITS OF THE
ORIGINAL ROAD ALLOWANCE BETWEEN
CONCESSIONS 3 AND 4 (KING ST. E.)

VIENNA STREET

GREENHILL AVENUE

THIS IS SCHEDULE "A" TO BY-LAW NO. 86 -
PASSED THE _____ DAY OF _____

Clerk

Acting Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 86 -

TO AMEND BY - LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



CHANGE IN ZONING FROM "AA"
(AGRICULTURAL) DISTRICT TO
"C" (URBAN PROTECTED
RESIDENTIAL, ETC.) DISTRICT.

North



Scale

NOT TO SCALE

Reference File No.

ZA-86-10

Date

86-06-16

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-EAST CORNER OF UPPER PARADISE ROAD
AND STONE CHURCH ROAD WEST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding clause 14A(1) (d) of By-law No. 6593, the following,
 - (i) COMMERCIAL USE shall not be prohibited:
 1. A coin operated manual car wash containing not more than 6 bays or stalls.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 1.
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-398a".
4. Sheet No. W-27C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-398a".
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

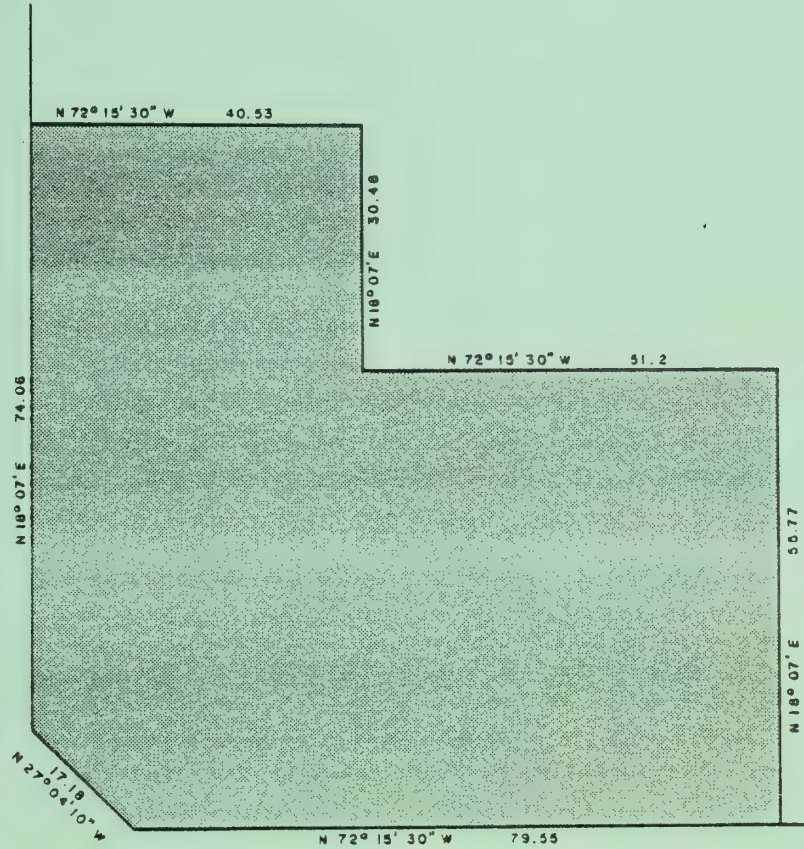
PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

ALL DIMENSIONS ARE IN METERS

UPPER PARADISE ROAD



STONE CHURCH ROAD WEST

THIS IS SCHEDULE "A" TO BY-LAW NO. 86- _____
 PASSED THE _____ DAY OF _____

 Clerk

 Acting Mayor

CITY OF HAMILTON

SCHEDULE "A"


MAP FORMING PART OF

BY-LAW NO. 86-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
 BY-LAW NO. 86-

North



Scale
 NOT TO SCALE

Date
 86-06-24

Reference File No.
 ZA-86-35

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 432 to 444 MAIN STREET WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 14 (1) of By-law No. 6593, the following,

(i) COMMERCIAL USE shall not be prohibited:

1. A coin-operated manual car wash containing not more than 9 bays or stalls;

(b) Subclause 14(3)(iii)(c) of By-law No. 6593 shall not apply;

(c) No land shall be used for vehicular access except land abutting Main Street;

(d) A planting strip not less than 1.5 m. in width shall be provided and maintained along the westerly side property line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-935".

4. Sheet No. W-12 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-935".

5. By-law No. 86-147, passed on the 29th day of April, 1986, is repealed.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

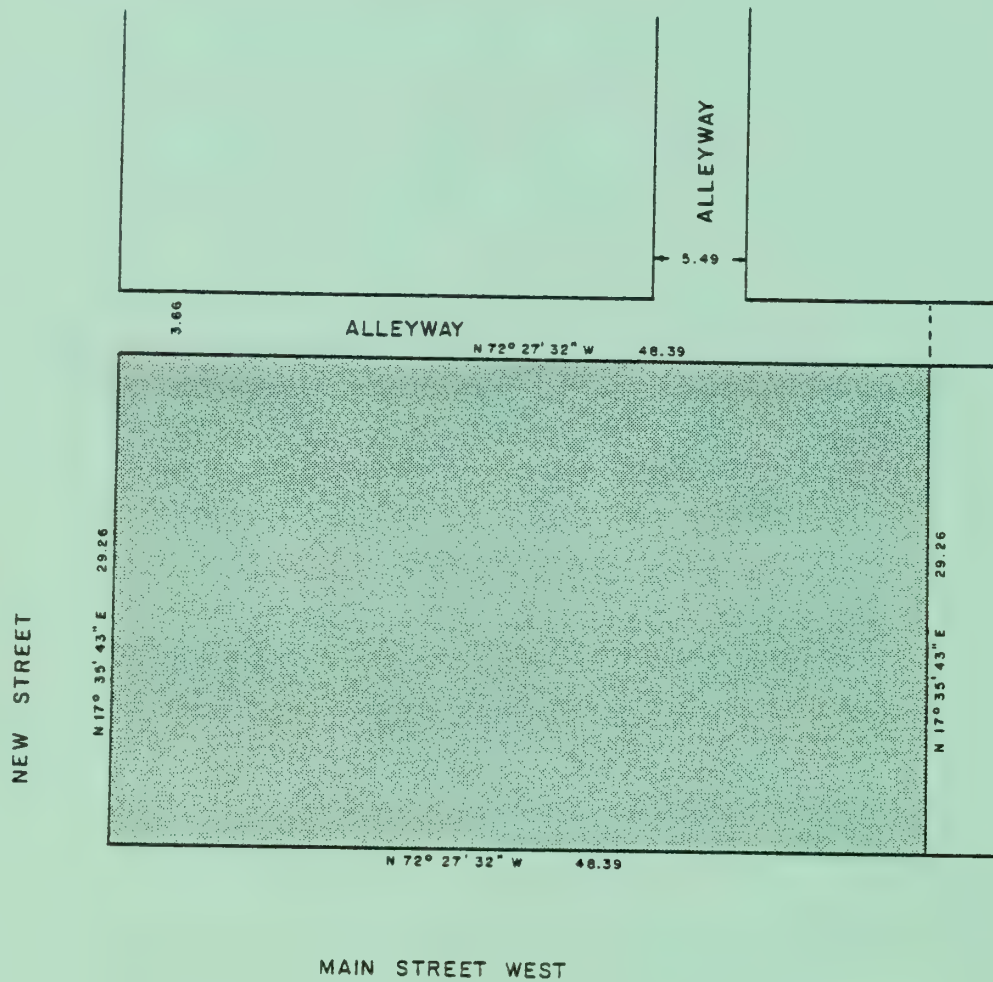
PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

(1986) 12 R.P.D.C. 1(a), June 24
Mor Car Wash Limited, Owner
ZA-86-32

ALL DIMENSIONS ARE IN METERS



THIS IS SCHEDULE "A" TO BY-LAW NO. 86- _____
 PASSED THE _____ DAY OF _____

 Clerk

 Acting Mayor

CITY OF HAMILTON

SCHEDULE "A"


MAP FORMING PART OF
 BY-LAW NO. 86-
 TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



LANDS TO BE REGULATED BY
 BY-LAW NO. 86-

<p>North</p> 	<p>Scale NOT TO SCALE</p>	<p>Reference File No. ZA - 86 - 32</p>
	<p>Date 86 - 06 - 19</p>	<p>Drawing No.</p>

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 432 to 444 MAIN STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

85. Land located at Municipal Nos. 432 to 444 Main Street West, shown on Appendix 85 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 85.

3. By-law No. 86-148, passed on the 28th day of April, 1986, is repealed.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

ALL DIMENSIONS ARE IN METERS



ZA-86-32

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-_____
PASSED THE _____ DAY OF _____

Clerk

Acting Mayor

LEGEND



LANDS DESIGNATED UNDER THIS BY-LAW AS AN AREA
OF SITE PLAN CONTROL PURSUANT TO SECTION 40
OF THE PLANNING ACT.

APPENDIX 85 TO BY-LAW NO. 79-275

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-WEST CORNER OF KING STREET EAST
AND GREENHILL AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-106 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding subsection 13(1) of By-law No. 6593, the following,

- (i) COMMERCIAL USES shall not be prohibited:

1. A Medical Clinic.
2. A Dental Clinic.
3. An Undertaker's establishment or funeral home without a crematorium.
4. A collection and distribution station for a laundry or dry cleaning establishment.

(ii) COMMERCIAL USES shall be prohibited:

1. A restaurant or refreshment room.
2. A laundry or dry cleaning establishment.
3. A storage garage.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-966".

5. Sheet No. E-106 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-966".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

(1986) 12 R.P.D.C. 5(b)(ii), June 24
Cochren Construction Co. Ltd., Owner
ZA-86-10

ALL DIMENSIONS ARE IN METERS

KING STREET EAST



GREENHILL AVENUE

VIENNA STREET

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-
PASSED THE _____ DAY OF _____


Clerk

Acting Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 86 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 CHANGE IN ZONING FROM "AA"
(AGRICULTURAL) DISTRICT TO
"G" (NEIGHBOURHOOD SHOPPING
CENTRE, ETC.) DISTRICT, MODIFIED.

North



Scale

NOT TO SCALE

Reference File No.

ZA-86-10

Date

86-06-16

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 19 BARTON STREET EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-3 of the District Maps, appended to and forming part of By-law No. 6593 is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

the extent and boundaries of which are comprised in Block 1 and are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands comprised in Blocks 1 and 2 shown on Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subclause 14(3) (iii)(c) of By-law No. 6593, a rear yard with a depth of at least 1.2 m. shall be provided;

- (b) notwithstanding subsection 18A (9) of By-law No. 6593, required ~~manoeuvring~~ *manoeuvring* space for two of the required parking spaces shall not be prohibited off of the lot on which the principal use, building or structure is located;

- (c) subsection 18A(12) of By-law No. 6593 shall not apply to the easterly side property line adjacent to the right-of-way;
- (d) subsections 18A(32) and (33) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-969".

5. Sheet No. E-3 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, "S-969".

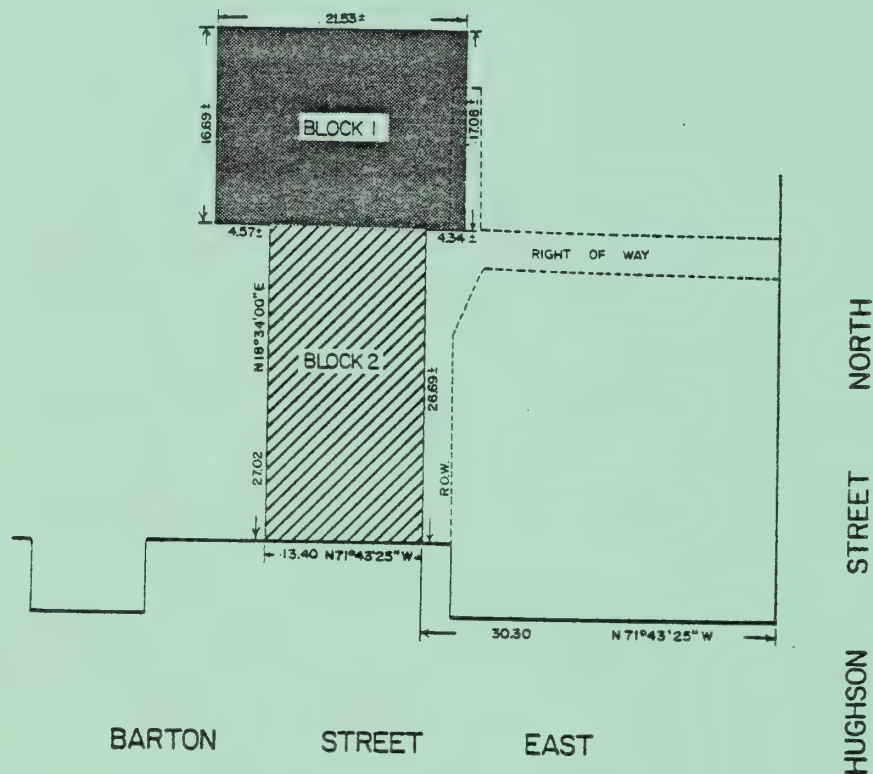
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

(1986) 13 R.P.D.C. 4, June 24
Mr. J. Arruda, Owner
ZA-86-38



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW 86-
PASSED THE _____ DAY OF _____

Clerk

Acting Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW № _____

TO AMEND BY-LAW № 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1

CHANGE IN ZONING FROM "D" (URBAN
PROTECTED RESIDENTIAL - ONE AND TWO
FAMILY DWELLINGS, etc) DISTRICT TO "H"
(COMMUNITY SHOPPING AND COMMERCIAL)
DISTRICT, MODIFIED

BLOCK 1

BLOCK 2

LANDS TO BE REGULATED
BY BY-LAW 86-

North



Scale

1:500

Reference File No.

ZA 86-38

Date

JULY 1986

Drawing No.

86-H-122

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Remove:

PART OF "RANDALL ESTATES - PHASE 1" REGISTERED PLAN OF SUBDIVISION
FROM PART LOT CONTROL

WHEREAS subsection 7 of section 49 of the Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...

AND WHEREAS subsection 5 of section 49 of The Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of The Planning Act was delegated to the Council of the Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS it is desirable to exempt certain lands from part-lot control.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of The Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. The easterly 12.186 m of Block "H" inclusive on Plan M-200, registered on the 9th day of November, 1976.

PASSED this

day of

A.D. 1986.

City Clerk

Acting Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 19 BARTON STREET EAST

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

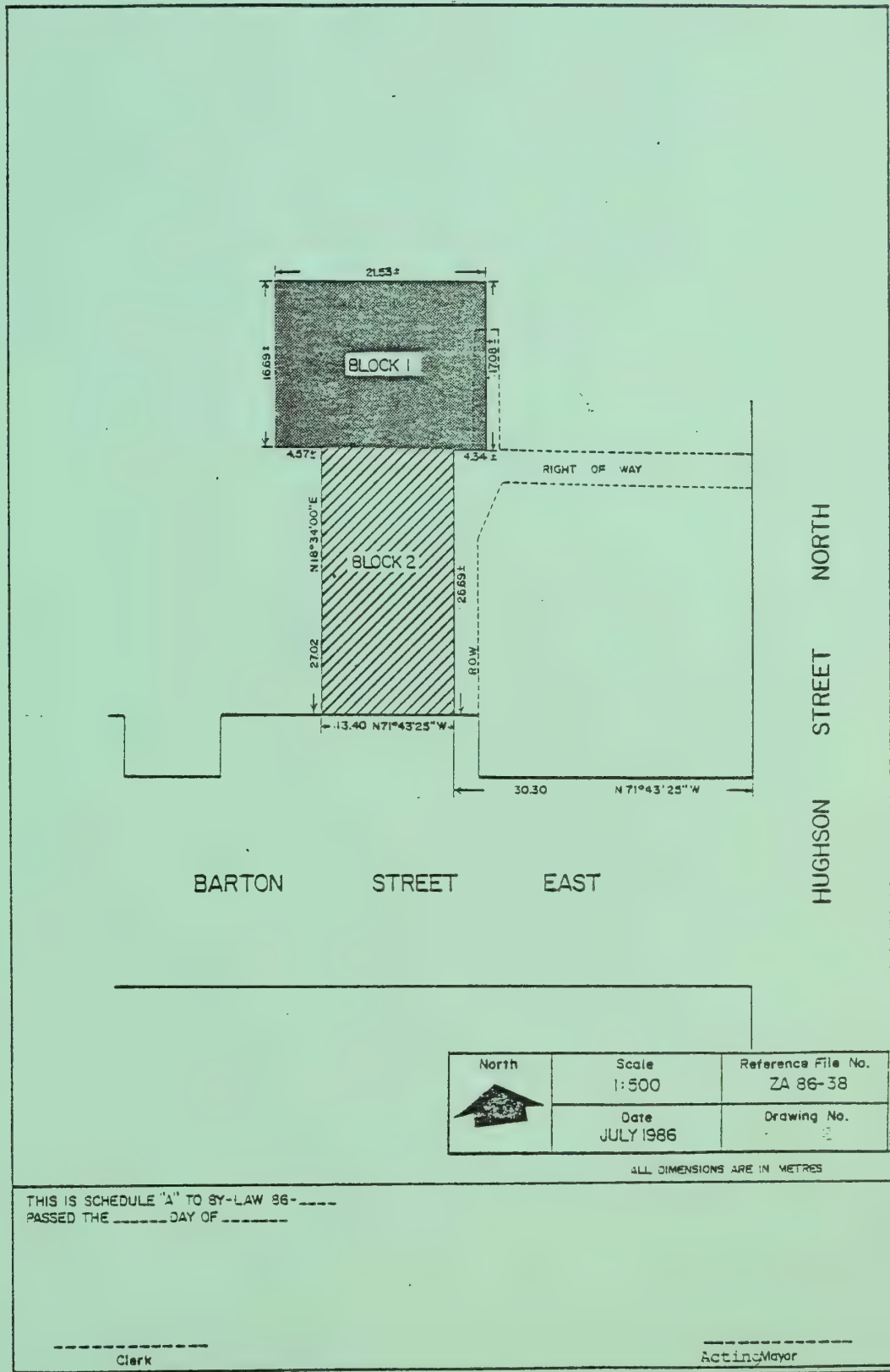
93. Land located at the rear of
Municipal No. 19 Barton Street
East, shown on Appendix 93
hereto annexed and forming part
of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 93.

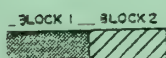
PASSED this day of A.D. 19 86.

City Clerk

Acting Mayor



LEGEND



Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 93 to By-law No. 79-275.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

Execution of an Agreement Between

The City of Hamilton and The City of Burlington

Respecting:

FIRE PROTECTION

WHEREAS paragraph 1 of section 208 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

By-laws may be passed by the councils of all municipalities:

1. For entering into agreement with any other municipality or person for the use of the fire-fighting equipment or any of it, of the municipality or of such other municipality or person upon such terms and conditions and for such consideration based on cost as may be agreed upon, provided that notwithstanding the provisions of any such agreement no liability accrues to the municipality or person for failing to supply the use of the fire-fighting equipment, or any of it;

AND WHEREAS it is intended herein to enter into an Agreement as aforesaid.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Agreement in form and content hereto annexed as Schedule "A" and forming part of this By-law.

PASSED this day of A.D. 1986.

City Clerk

Acting Mayor

SCHEDULE "A" TO BY-LAW NO. 86-

THIS AGREEMENT made in triplicate the day of
1986.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter called "Hamilton")

of the First Part

- and -

THE CORPORATION OF THE CITY OF BURLINGTON

(hereinafter called "Burlington")

of the Second Part

WHEREAS The Municipal Act, R.S.O. 1980, ch. 302 as amended, section 208, paragraph 1, provides as follows:

"208. By-laws may be passed by the councils of all municipalities:

1. For entering into agreement with any other municipality or person for the use of the fire-fighting equipment, or any of it, of the municipality or of such other municipality or person upon such terms and conditions and for such consideration based on cost as may be agreed upon, provided that notwithstanding the provisions of any such agreement, no liability accrues to the municipality or person for failing to supply the use of the fire-fighting equipment, or any of it.";

AND WHEREAS for the purposes of firefighting by its Fire Department on and near the highway known as Beach Boulevard, south of the Burlington Canal, in the City of Hamilton, Hamilton desires Burlington's assistance in providing a water tanker vehicle (hereinafter called "the tanker") when requested to do so, to assist in fighting any fire in progress thereat;

AND WHEREAS Burlington has agreed to provide the tanker on request, subject to availability and subject to the terms of this Agreement;

....2

AND WHEREAS the Council of Hamilton, at its meeting on February 25, 1986, in adopting Item 1 of the 3rd Report of the Personnel Committee for 1986, passed the following resolution:

"1. That the City of Hamilton enter into an agreement with the City of Burlington to have a water tanker of the Burlington Fire Department respond on request of the Hamilton Fire Department to the Beach Boulevard area, south of the Burlington Canal. The rate for this service to be \$200.00 for the first hour and \$100.00 for each additional hour. The City Solicitor be authorized and directed to prepare the necessary agreement.

This agreement to be in place until such time as a watermain is installed on the Beach Strip, and is subject to concurrence of the Hamilton Professional Fire Fighters Association."

AND WHEREAS by letter dated March 5, 1986, a copy of which is annexed to and forms Schedule "A" to this Agreement, the Hamilton Professional Fire Fighters Association concurred with the making of this Agreement until a new watermain is installed and is operational in the Beach Boulevard area;

AND WHEREAS, pursuant to section 208, paragraph 1 of the said Municipal Act the Council of Hamilton did on the day of , 1986 enact its By-law 86- , authorizing Hamilton to enter into this Agreement, and the Council of Burlington did on the day of , 1986 enact its By-law , authorizing Burlington to enter into this Agreement;

WITNESSETH that in consideration of the premises, the payment of the sum of one dollar (\$1.00) of lawful money of Canada now paid by the Party of the First Part to the Party of the Second Part (receipt of which is hereby by it acknowledged)

and other good and valuable consideration, the parties hereto hereby covenant and agree as follows:

Area
Affected

1. The land area which is the subject of this Agreement shall be that part of the highway known as Beach Boulevard, located in the City of Hamilton, extending between a point immediately south of the Burlington Canal southerly to a point where the said Beach Boulevard is intersected by Woodward Avenue and includes the side streets immediately abutting the said Beach Boulevard to the east and west thereof, as shown on a plan attached hereto and forming Schedule "B" to this Agreement and on which plan hydrant locations are shown as dots.

Area not
included
herein

2. It is understood and agreed that, notwithstanding the illustration of highways and bridges marked "Skyway" on the said Schedule "B", this Agreement shall pertain to and apply only to the land area referred to in clause 1 hereof.

Inter-
pretation

3. In this Agreement:
 - (a) the expression "tanker" shall mean a water tank vehicle and water supply apparatus thereon owned by Burlington and capable of providing a supply of water for use in fighting fires in the area described in clause 1 hereof.
 - (b) the expression "tanker driver" shall mean that member or those members of Burlington's Fire Department assigned by Burlington to drive and operate the tanker, including its water discharging apparatus.
 - (c) the expression "senior officer" shall mean the most senior officer of the Hamilton Fire Department present at the scene of a fire at, or in the immediate abutting area of, Beach Boulevard.

Avail-
ability

4. (a) It is expressly understood and agreed by the parties hereto that the terms of this Agreement as to Burlington's Fire Department's providing, at the request of Hamilton's Fire Department, the attendance of Burlington's tanker and tanker driver for assistance in fighting a Beach

Boulevard area fire in Hamilton shall be subject to the availability of both the tanker and the tanker driver, and that Burlington shall not be obliged nor expected to provide the tanker and tanker driver should they or either of them be temporarily not available on account of their being required for use in Burlington, not operational for any reason or otherwise for any reason unavailable when requested by the Hamilton Fire Department to attend as aforesaid, in which event Burlington's Fire Department shall advise Hamilton's Fire Department of such unavailability at the time the latter requests the attendance of the tanker.

- (b) In the event that Burlington ceases to possess an operational tanker or employ a tanker driver for a period of more than 5 consecutive days, Burlington shall immediately notify in writing the Chief of the Hamilton Fire Department of that situation.

Response 5. Subject to clause 4 hereof, upon telephone request of the Hamilton Fire Department, Burlington's Fire Department shall forthwith dispatch to the area of Beach Boulevard specified in the aforesaid telephone request its tanker and tanker driver. Each Fire Department shall notify the other immediately of any changes in telephone number or interruption of telephone service.

Direction 6. Upon arrival at the specified area (hereinafter called "the fire site") the tanker and tanker driver shall be subject to deployment, direction and control of the senior officer and shall remain subject to such deployment, direction and control at the fire site until unequivocally dismissed therefrom by the senior officer. The tanker driver or Burlington's Fire Department, as the case may be, shall further, if demanded, promptly provide written as well as oral reports to Hamilton's Fire Department as to, inter alia,

.....5

the volume of water used from the tanker and such other recorded information as is from time to time required by Hamilton's Fire Department for fire reports. Notwithstanding the foregoing, the tanker driver shall at all times and for all purposes remain an employee of Burlington and in particular, but without limiting the generality of the foregoing, with respect to all claims or liabilities concerning injury, worker's compensation, salary and the like matters of employment or risk, as though such claim or liability occurred in the course of his regular employment in Burlington.

- Payments 7. Hamilton shall pay for Burlington's tanker assistance herein at the rate of two hundred dollars (\$200.00) for the first hour of each attendance and one hundred dollars (\$100.00) for each additional hour thereof. The hours paid for shall run from the time of Hamilton Fire Department's tanker request call to the Burlington Fire Department to and including the time the tanker returns to its usual quarters in Burlington. In the event that the tanker is called from a Beach Boulevard area fire directly to a fire in progress in Burlington, the end of the paid period in that case shall be the estimated time of arrival of the tanker at its regular quarters in Burlington, had it not been summoned to attend the fire in progress in Burlington. Burlington shall invoice Hamilton on the above basis for each attendance of its tanker in Hamilton and Hamilton shall pay each invoice promptly after receipt thereof.
- Liability 8. Pursuant to section 208, paragraph 1 of The Municipal Act, no liability shall accrue to Burlington herein for failing to supply the use of the tanker to Hamilton for any reason.
- Notices 9. Any notice to be given to Hamilton pursuant to this Agreement shall be deemed to be properly given if personally delivered or sent by prepaid, ordinary mail addressed to the Corporation of the City of Hamilton, City Hall, 71 Main Street

West, Hamilton, Ontario L8N 3T4, Attention: The City Clerk, and any notice so mailed shall be deemed to have been received on the third business day after the mailing thereof. Any notice to be given to Burlington pursuant to this Agreement shall be deemed to be properly given if personally delivered or mailed by prepaid, ordinary mail addressed to The Corporation of the City of Burlington, Box 5013, 426 Brant Street, Burlington, Ontario L7R 3Z6, Attention: The City Clerk, and any notice so mailed shall be deemed to have been received on the third business day after the mailing thereof.

- Headings 10. The marginal captions or headings herein shall be deemed to be inserted for convenience of reference only and the interpretation of this Agreement shall not be affected by nor subject to the same.
- Enurement 11. This Agreement shall enure to and be binding upon the parties hereto and their respective successors and assigns and shall take effect when executed by both parties hereto.
- Termination 12. This Agreement shall subsist in force until terminated by Notice from either party, signed and sealed by its City Clerk, and given to the other party in accordance with the provisions of clause 9 hereof. No such termination shall take effect until thirty (30) days after the giving of such notice.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals, duly attested to by their authorized signing officers in that behalf, as of the date first above written.

THE CORPORATION OF THE CITY OF HAMILTON

Per: _____

Mayor

City Clerk

THE CORPORATION OF THE CITY OF BURLINGTON

Per: _____

Mayor

City Clerk

SCHEDULE "A"

TO AGREEMENT

Hamilton Professional Fire Fighters Association

President

John Hargrove

Treasurer

Bill Aitken



Secretary

Larry Staples
19 Laurier Avenue,
Hamilton, Ontario.
388-3341

March 5th, 1986

Mr. L. G. Saltmarsh, Chief
Hamilton Fire Department,
55 King William Street,
Hamilton, Ontario.

Purchase of Fire Protection from
Burlington Fire Department

Dear Sir:

The Negotiating Committee of the Hamilton Professional Fire Fighters Association are prepared to waive Article 2.4 of the Collective Agreement in this special instance regarding the replacement of the new watermain on the Beach Boulevard area.

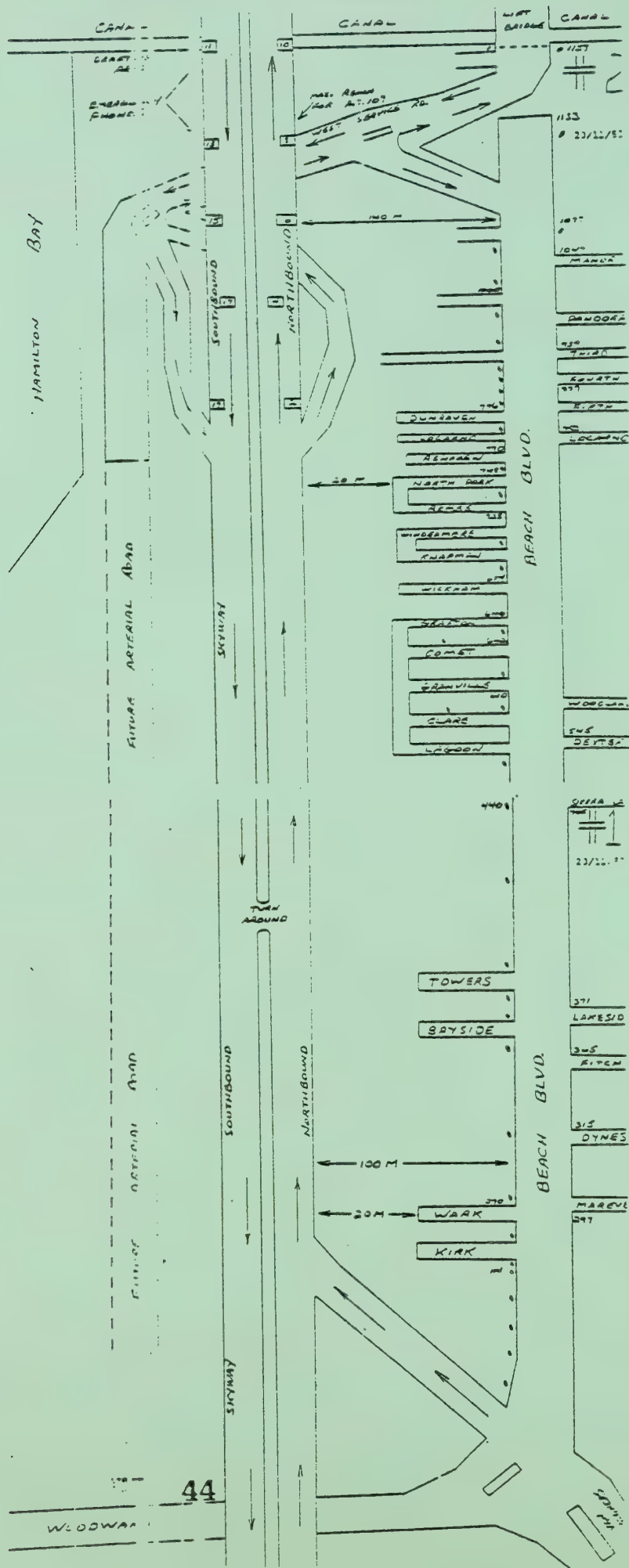
It is understood that the practice of purchased Fire protection from the Burlington Fire Department will cease when the new watermain is installed and operational.

We would also appreciate a copy of the said agreement between the Corporation of the City of Hamilton and the City of Burlington.

Yours truly,

Larry Staples, Secretary
H.P.F.F.A.

MAKE EVERY WEEK - "FIRE PREVENTION WEEK"



THIS AGREEMENT dated day of 1986.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON
(hereinafter called "Hamilton")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF BURLINGTON
(hereinafter called "Burlington")

OF THE SECOND PART

A G R E E M E N T

K. A. Rouff
City Solicitor
City Hall
HAMILTON, Ontario
L8N 3T4

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Procedural By-law No. 82-203

Respecting:

DUTIES OF THE FINANCE COMMITTEE

WHEREAS By-law No. 82-203 provides for the duties of Standing Committees of Council, including the Finance Committee;

AND WHEREAS it is intended that the City portion of the Hamilton Municipal Retirement Fund be administered by the Finance Committee in place and stead of the Municipal Retirement Fund Committee.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 39 of By-law No. 82-203 is amended by adding thereto the following paragraph:

10. To manage the Hamilton Municipal Retirement Fund Plan in accordance with By-law No. 7970 and to report to Council.

PASSED this day of A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

H.M.R.F. By-law No. 7970

Respecting:

ADMINISTRATION

WHEREAS By-law No. 7970, passed on the 5th day of February, 1957, was ratified and confirmed and declared to be legal, valid and binding upon the City and the employees thereof by The City of Hamilton Act, 1957, clause 3(a);

AND WHEREAS in accordance with clause 3(d) of the said Act, the City is empowered,

- (i) to do all such acts, matters and things as are necessary for the full and proper carrying out of its obligations under by-law No. 7970, and
- (ii) to amend by by-law, from time to time and with the approval of the Department of Municipal Affairs, by-law No. 7970;

AND WHEREAS the City enacted By-laws Nos. 86-40 and 86-51 providing for the transfer of City of Hamilton employees therein set out, to the Ontario Municipal Employees Retirement System in accordance with subsection 24(1e) and subsection 24(1f) of The Regional Municipality of Hamilton-Wentworth Amendment Act, 1985, S.O. 1985, Chapter 10;

AND WHEREAS The Regional Municipality of Hamilton-Wentworth enacted by-laws in respect of Regional employees who are members of the Hamilton Municipal Retirement Fund for the same purpose;

AND WHEREAS on the date of the passing of this by-law some of the employees of the City of Hamilton remain members of the Hamilton Municipal Retirement Fund;

AND WHEREAS in accordance with The Regional Municipality of Hamilton-Wentworth Amendment Act, 1985, S.O. 1985, Chapter 10, the assets and liabilities related to employees of the City and to employees of The Regional Municipality of Hamilton-Wentworth have been separated, are administered separately and the separately administered portions are deemed to be separate retirement plans;

AND WHEREAS it is intended that the administration of the City portion of the retirement plan shall be administered by the Finance Committee of the Council of the City in place and stead of the Municipal Retirement Fund Committee.

NOW THEREFORE the Council of The Corporation
of the City of Hamilton enacts as follows:

1. Section 1 of Article I of By-law No. 7970 is
amended by adding thereto the following clause:

(ra) treasurer means City Treasurer.

2. Clause 1(d) of Article I of By-law No. 7970
is repealed.

3. Section 1 of Article XIX of By-law No. 7970
is amended by striking out "Municipal Retirement Fund
Committee" at the end of the section and inserting in
lieu thereof "Finance Committee".

4. Sections 2, 3, 4, 5, 6 and 7 of Article XIX
of the said by-law are repealed.

5. Clause 8(b) and clause 8(c) of Article XIX
of the said by-law are repealed.

6. Article XX of the said by-law is repealed.

READ A FIRST AND SECOND TIME on the day of
A.D. 1986.

READ A THIRD TIME AND FINALLY PASSED on the day
of A.D. 1986, the approval of the Department
of Municipal Affairs having been given on the day
of A.D. 1986.

City Clerk

Mayor

(1986) 17 R.F.C. 8 , July 22

BY-LAW NO. 86-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE DAY OF A.D., 1986

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of JULY A.D. 1986

CITY CLERK

ACTING MAYOR

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 July 22
7:30 o'clock p.m.
Council Chambers, City Hall

A G E N D A

1. Prayer - Canon Ralph Price, Rector of
St. John's Anglican Church
2. Presentations:

Ms. Janet Garbella, Winner of the Hamilton Region Body Building
Championships - Presentation of a Plaque
3. Proclamation - "Great Lakes Week"
4. Minutes of the Meeting held 1986 June 24
5. Correspondence
 - (a) Letter from Milligan & Cass, Barristers and Solicitors,
dated 1986 July 17
Re: Proposed road closure and sale of Gosford Drive
 - (b) Letter from Ontario Legislative Committee, Canadian Railway
Labour Association dated 1986 July 17
Re: Caboosless Freight Trains in Canada
6. Reports of Standing Committees - attached:
 - (A) Executive Committee
 - (B) Transport and Environment Committee
 - (C) Parks and Recreation Committee
 - (D) Planning and Development Committee
 - (E) Legislation Committee
 - (F) Personnel Committee
 - (G) Finance Committee
 - (H) The Hamilton-Scourge Project
7. Notices of Motion for next meeting

8. First reading of the Bills
9. Second reading of the Bills - Committee of the Whole
10. Third reading of the Bills
11. Question period
12. Adjournment.

MINUTES OF THE MEETING
HELD
1986 JUNE 24

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JUNE 24, 1986
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling,
Murray, Ross.

ABSENT: Alderman Agró (City Business)
Alderman Smith

Mayor Robert M. Morrow called the meeting to order. The following presentations then took place.

- (a) Mayor R. Morrow presented a City of Hamilton flag to the Argyll and Sutherland Highlanders Pipe and Drum Corps. This Corps will be representing the City at the Military Festival in Edinburgh, Scotland, August 1986.
- (b) A Certificate of Appreciation was presented to Mr. Peter C. Douglas, Past President of the Hamilton & District Labour Council, in appreciation of his contribution to Labour in the Community.
- (c) A Certificate of Recognition was presented to Mr. Jim Lupton who will be the official representative of the City in the Queen's Message Relay which is being held in connection with the up-coming Commonwealth Games.
- (d) Mayor R. Morrow presented Mr. Stephen Jacobs with a Certificate in recognition of his outstanding accomplishments in the Hamilton and District Science Engineering Fair, and the International Science and Engineering Fair held in Fort Worth, Texas.
- (e) Mayor R. Morrow officially welcomed to the City of Hamilton the Mountain Star Gymnastics Club, represented by Mr. Bill Young.
- (f) Mr. Tibor Sereg, representing the Knights of Alhambra Caravan, presented a figurine to Mayor R. Morrow in appreciation for May 3, 1986, being declared "Alhambra Day in Hamilton".

Father Gus Smith, St. Mary's Roman Catholic Church, led the Council in prayer.

The minutes of the meeting of May 27, 1986, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Marilyn Dagostino, 12 Brucedale Ave. West, Hamilton, Ontario, for a change in zoning, property located at 461 Upper Wentworth Street, dated May 28, 1986.
2. Application from Ward Campbell, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located on the east side of Fiona Crescent and south of the proposed Mountain Freeway, dated May 30, 1986.
3. Application from Robert Leggatt, Roseland Motors Limited, 888 Guelph Line, Burlington, Ontario, for a change in zoning, property located at the north-west corner of Limeridge Road East and Upper Gage Avenue, dated May 30, 1986.
4. Application from Costantino Construction Ltd., 65 Stoneybrook Drive, Stoney Creek, Ontario, for further modifications to Zoning District regulations for property located on the west side of Mall Road in the area south of Mohawk Road East, dated June 2, 1986.
5. Application from Ritlyn Investments Limited, 136 Wilson Street, Hamilton, Ontario, for a change in zoning, property located at 234 Queen Street South, dated June 2, 1986.
6. Application from 417208 Ontario Limited, O/A Genesee Tavern, 468 James Street North, Hamilton, Ontario, for a change in zoning, property located at Nos. 468, 474 and 476 James Street North and Nos. 13 and 15 Ferrie Street East, dated June 2, 1986.
7. Application from Frank Agostino, 52 St. Matthew's Avenue, Hamilton, Ontario, for a change in zoning, property located at 678 Upper James Street, dated June 4, 1986.
8. Application from Jeffrey S. Hughes, 372 Franklin Road, Hamilton, Ontario, for a change in zoning, property located at 203 Homewood Avenue, dated June 4, 1986.
9. Application from Emilia Orlicki, 97 Greeningdon Drive, Hamilton, Ontario, for a change in zoning, property located at 236 Stonechurch Road West, dated June 4, 1986.
10. Application from Angelo Forte and Ada Forte, 162 Parkdale Ave. North, Hamilton, Ontario, for a change in zoning, property located at 425 Melvin Avenue, dated June 6, 1986.
11. Application from 577943 Ontario Limited, (Dr. Charles Balaban, President), 5 Marisa Court, Willowdale, Ontario, for a change in zoning, property located at 55-59 Rymal Road East, dated June 9, 1986.
12. Application from Freure Homes Limited, 501 Krug Street, Kitchener, Ontario, for a change in zoning, property located at 101 Broadway Avenue, dated June 11, 1986.
13. Application from Seid M. Hashemi, 322 Brookview Court, Ancaster, Ontario, for a change in zoning, property located at 640 Upper James Street, dated June 17, 1986.
14. Letter of appreciation from McQuesten Community Association, 48A Parkdale Ave. North, Hamilton, Ontario, for grant to support Community House project, dated May 28, 1986. NOTED.

15. Application from George Sinclair Construction Inc., 125 Gailmont Drive, Hamilton, Ontario, for a change in zoning, property located at 179 Pottruff Road and 6 Orphir Road, dated June 20, 1986.
16. Application from Mrs. Katherine McNally, 189 Mount Albion Road, Hamilton, Ontario, for a change in zoning, property located at Part of Lot 31, Concession 3, dated June 20, 1986.

Rule No. 8 of Procedural By-law 82-203 was envoked for this meeting of City Council in order to permit consideration of the following resolution moved by Alderman Murray and seconded by Alderman Collins:

That City Council reaffirm its previously stated position to support Municipal Non-Profit Housing.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That Bill No. D-19 be now read a third time, signed, sealed and enrolled as a By-law and numbered 86-185.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

Bill No. D-19 was then read a third time.

It was moved by Alderman Wheeler, seconded by Alderman Collins, and carried, that Council move into Committee of the Whole to consider the following Reports with Alderman P. Cowell, Acting Mayor, in the chair:

(A) EXECUTIVE COMMITTEE - FIFTEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Kiss. - 1. CARRIED.

It was moved by Alderman Valeriano and seconded by Alderman Hinkley:

That Section 8 be referred back. - CARRIED.

Recorded vote on Section 16:

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling. - 10.

NAYS: Aldermen Kiss, Hinkley, Copps, Murray. - 4. CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Murray:

That Section 3 be amended by deleting the figure of "\$10,000." in the first line of Subsection (g) and substituting in lieu thereof the figure "\$6,400." and, further, by deleting Subsection (h) in its entirety. - CARRIED.

Recorded vote on Section 46.

YEAS: Aldermen Cooke, McCulloch, Copps, Christopherson, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Valeriano, Hinkley, Collins. - 5. CARRIED.

Recorded vote on Section 60.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Copps, Christopherson, Collins, Wheeler, Merling, Ross. - 10.

NAYS: Alderman Hinkley. - 1. CARRIED.

It was moved by Alderman Merling and seconded by Alderman Gallagher:

That Section 63 be referred back. - CARRIED.

Recorded vote on Section 70.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT.

(C) PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT.

With respect to Section 1 Alderman V. Agro, by letter dated June 19, 1986, declared an interest in Philip Enterprises. Alderman Agro has been hired as a Consultant for this Company's Employee Benefit Plan.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Alderman Copps. - 1. CARRIED.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Collins, Wheeler, Cowell, Gallagher, Ross. - 11.

NAYS: Alderman Murray. - 1. CARRIED.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Murray. - 10.

NAYS: Aldermen Cooke, Kiss, Copps, Merling, Ross. - 5. CARRIED.

It was moved by Alderman Murray and seconded by Alderman Gallagher:

That Section 7 be amended by deleting the words "leasing of the" immediately before the word "operation" in the third line, and by adding the word "revised" immediately after the word "vendor's" in the fifth line and, further, by deleting the "NOTE" in its entirety and substituting in lieu thereof the following:

NOTE: Only proposal received. The above amounts are to be paid regardless of whether persons other than the Concessionaire are allowed to sell items in direct competition with the Concessionaire during the Festivals referred to in the proposal. - CARRIED.

Recorded vote on Section 10.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Kiss. - 1. CARRIED.

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Murray and seconded by Alderman Gallagher:

That Section 19 be amended by adding the following:

"and subject to the City's standard Indemnification Agreement." - CARRIED.

Recorded vote on Section 19, as amended:

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Valeriano, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Hinkley. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That Section 21 be referred back.

YEAS: Aldermen Valeriano, Copps, Christopherson, Collins, Wheeler. - 5.

NAYS: Mayor Morrow; Aldermen Kiss, McCulloch, Cowell, Gallagher, Merling, Murray, Ross. - 8. LOST.

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Valeriano, Copps, Christopherson, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Collins, Wheeler. - 2. CARRIED.

Rule No. 8 of Procedural By-law 82-203 was invoked for this meeting of City Council in order to consider a resolution moved by Alderman Murray and seconded by Alderman Ross to add Section 25.

"25. (a) That pursuant to the policy adopted by City Council on 1986 May 13, respecting playground equipment, the following amounts for the purchase of traditional playground equipment be approved.

(i) Arcade Park - \$5,000.

(ii) Holy Rosary School - \$5,000.

- (b) That the \$10,000. be financed from the 5% Parks Dedication Reserve (Acquisition of Land Under the Planning Act - Account No. 0280-11).

NOTE: For the information of the members of City Council, on 1986 May 13, City Council approved a policy wherein an initial start up fund in the amount of \$5,000. will be provided towards the purchase of playground equipment where a reasonable request is made by the residents." - CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT.

(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman McCulloch:

That Section 3 be referred back and that City Council require the Applicant to provide the Planning and Development Committee with an Economic/Marketing Impact Study and that the Committee reconsider this Application in light of the results of this Study.

YEAS: Aldermen McCulloch, Copps, Christopherson, Gallagher. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Wheeler, Cowell, Merling, Ross. - 10. LOST.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Wheeler, Cowell, Merling, Ross. - 10.

NAYS: Aldermen McCulloch, Copps, Christopherson, Gallagher. - 4.
CARRIED.

It was moved by Alderman Ross and seconded by Alderman Merling:

That Appendix "F" of Item 7, outlining the new Cash-in Lieu of Parking Policy, be replaced with the attached policy, as approved by the Planning and Development Committee at its meeting held June 11, 1986. -

NOTE: Appendix "F", as printed in the Council agenda, does not contain amendments made by the Planning and Development Committee at its meeting held on June 11, 1986. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Merling:

That Subsection (a) of Section 9 be amended by adding the following, after the word "Committee" in the third line:

"or in his or her absence, the other word Alderman." -

CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman Wheeler and seconded by Alderman Gallagher:

That Subsection (3) of Section 5 of Procedural By-law 82-203 be suspended for this meeting of City Council in order to permit this meeting to continue after 11:00 o'clock, p.m.

(D) LEGISLATION COMMITTEE - TENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Wheeler:

That Subsection (d) of Section 9 be deleted. - CARRIED.

It was moved by Alderman Christopherson and seconded by Alderman Copps:

That Section 13 be tabled until such time as the three member panel submits its report on Council Members' remuneration. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That Section 15, amended by deleting the name "R. Wheeler" and substituting in lieu thereof the name "W. M. McCulloch." - CARRIED.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 18. Alderman Ross advised that he terminated his Real Estate business earlier this year.

Rule No. 8 of Procedural By-law 82-203 was invoked for this meeting of City Council in order to consider a resolution moved by Mayor Morrow and seconded by Alderman Ross to add Section 22.

"22. That the following challenge of the Mayor of Regina be accepted:

'That the City having the fewer fans attending its first 1986 C.F.L. League home game fly the flag of the City which has the greater number of fans in attendance.'" - CARRIED.

(E) LEGISLATION COMMITTEE - ELEVENTH REPORT.

(F) PERSONNEL COMMITTEE - NINTH REPORT.

It was moved by Alderman Kiss and seconded by Alderman Valeriano:

That Section 5 be amended by deleting the date "July 1, 1987" in the section and inserting in lieu thereof the date "October 1, 1986." - CARRIED.

(G) FINANCE COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Merling:

That Section 3 be referred back. - CARRIED.

It was moved by Alderman Hinkley and seconded by Alderman Copps:

That Section 4 be referred back.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Valeriano, Copps, Collins, Gallagher, Merling. - 6.

NAYS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Wheeler, Cowell, Ross. - 7. LOST.

It was moved by Alderman Valeriano and seconded by Alderman Cooke:

That Section 7 be referred back. - CARRIED.

It was moved by Alderman Gallagher and seconded by Alderman Merling:

That Section 11 be referred back. - LOST.

Recorded vote on Section 11:

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Cowell, Gallagher, Merling, Ross. - 13.

NAYS: Alderman Kiss. - 1. CARRIED.

(H) CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT.

(I) HIS WORSHIP MAYOR ROBERT M. MORROW - SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Ross. - 10.

NAYS: Aldermen Wheeler, Cowell, Gallagher. - 3. CARRIED.

(J) SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT.

It was moved by Alderman Collins and seconded by Alderman Wheeler:

That the First Report be referred back. - CARRIED.

Rule No. 8 of Procedural By-law was invoked for this meeting of City Council in order to consider the following resolution which was moved by Alderman Hinkley and seconded by Alderman Collins:

"That City Council request the Hamilton-Wentworth Regional Board of Commissioners of Police to reinstate the testing and licensing of boaters in Hamilton Harbour to help contribute to the safe operation of boats and increase knowledge of the rules of the waterways." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

"That Alderman T. Murray be appointed Acting Mayor for the month of July, 1986." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins"

"That the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted." - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Cowell:

That the following Bills be now read a first time:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91,
D-92, D-93,
E-11, E-12,
G-23. - CARRIED.

The Bills were then read a first time.

It was moved by Alderman Wheeler, seconded by Alderman Collins, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman P. Cowell, Acting Mayor, in the chair:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91,
D-92, D-93,
E-11, E-12,
G-23.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That the Report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Collins:

That the following Bills be now read a third time:

A-14,
B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47,
D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82,
D-83, D-84, D-86, D-86, D-88, D-89, D-90, D-91, D-92,
D-93,
E-11, E-12,
G-23. - CARRIED.

The Bills were then read a third time.

Following a brief question period City Council adjourned on Wednesday, June 25, 1986, at 12:55 o'clock, a.m.

C O R R E S P O N D E N C E

JUL 17 1986

Milligan & Cass

BARRISTERS AND SOLICITORS

DONALD J. MILLIGAN, Q.C.
PETER H. CASS, LL.B.
SHELLEY LANCASTER, LL.B.

720 GUELPH LINE, SUITE 303
BURLINGTON, ONTARIO
L7R 4E2
(416) 632-7744

July 17, 1986

DELIVERED

The Mayor and Members of
Hamilton City Council
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sirs:

Re: Proposed road closure, Gosford Drive from
Upper Paradise Road to Gilcrest Street,
Gurnett Neighbourhood

On Monday, July 14th, the writer and Mr. N. B. Welch, an officer of Gurnland Development Inc., attended before the Transport and Environment Committee.

Under previous correspondence dated October 3, 1985, a copy of which is enclosed, I wrote to Mr. H.O. Schweinbenz, Commissioner of Transportation and Services, and requested that certain lands (being a temporary access road) that had been included within our plan of subdivision registered in 1976, be returned to my client for reasons stated in the letter. Mr. Schweinbenz has approved this request to the committee. However, the city's Legal Department has objected to the property being reconveyed to the developer on two grounds:

- a) that a reconveyance at less than market value would constitute "a bonus" to the developer; and
- b) that Lorken Holdings Limited, the original subdivider, did not have any "understanding" or other agreement with the city that it could re-acquire the lands for nominal consideration.

Might I comment briefly in reply to the above:

a) Neither I nor my clients understand how the return of the lands without charge can be "a bonus" when:

(i) my clients have agreed to include these lands, if obtained, at no additional cost to the purchaser, and

(ii) my clients had already purchased these lands in 1972 and, with interest, have already paid for them once at \$65,000.00 per acre and should not have to buy them again from you.

b) With respect to your Legal Department's second point that there was no "understanding" or other agreement, I cannot understand what the purpose of staff is, if the simple honest agreement confirmed by Mr. Schweinbenz will not be honoured.

In summary, for both legal and moral reasons, my clients' request is completely reasonable and deserves favourable treatment.

Yours sincerely,



DONALD J. MILLIGAN
for the firm
DJM:d

Enclosure: Copy of our letter of October 3, 1985
to Mr. Schweinbenz

601 27 333

FOR YOUR INFORMATION
THIS IS A COPY OF
CURRENT CORRESPONDENCE
MILLIGAN & CASS

Milligan & Cass

BARRISTERS AND SOLICITORS

DONALD J. MILLIGAN, Q.C.
PETER H. CASS, LL.B.
SHELLEY LANCASTER, LL.B.

720 GUELPH LINE, SUITE 303
BURLINGTON, ONTARIO
L7R 4E2
(416) 632-7744

October 3rd, 1985

Mr. H. O. Schweinbenz
Commissioner of Transportation
and Services
Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

Re: Gurnett Estates - Plan M-210,
Hamilton

Please be advised that we are solicitors for Gurnland Development Inc., the successor of Lorken Holdings Limited, the developer of Plan M-210.

When our client's plan was registered, Lorken provided a temporary access road off Upper Paradise Road to the Gurnett neighbourhood known as Gosford Drive for the common use of all the developers in the neighbourhood. When these lands were provided, it was on the understanding that the access road would later be closed and the lands would revert back to Lorken. The road did not conform to the original proposed neighbourhood plan because it was too close to the proposed freeway.

A draft plan of Gurnett Estates - Phase III has now been submitted to, and approved by, your Development Committee. Contemporaneous with my client's intended development is the development of a neighbouring plan, Roma Gardens, being submitted by A. J. Clarke & Associates on behalf of Di Cenzo Construction Company Limited.

Your review of the intended development by Roma Gardens will show that that subdivision has its own access onto Upper Paradise, with connecting roads into our Gurnett Phase III. These new accesses make the need for the Gosford Drive temporary access no longer necessary.

Please consider this letter, therefore, a formal request to the City that the proper application for the road closing of Gosford Drive be instituted by your department as soon as possible. The adjoining landowner is the City of Hamilton by virtue of its one foot reserve and it is therefore the intention of Gurnland to reacquire the property for the nominal sum of \$1.00, pursuant to an earlier agreement made with the City at the time that our client provided the land in the first instance for the temporary road, all of which is noted under my earlier correspondence of June 20th, 1985 to the City Solicitor's Department. We do understand that Gosford must remain open until the new road patterns are established. Since we believe that Roma Gardens will be registered next spring, we would ask that the preliminary work to be done to have the application instituted be started now since the reconveyance of this property is necessary as part of the intended plan of my client.

I would ask for your cooperation in expediting this request. If you have any questions with respect to the same, would you kindly contact either myself or Mr. Welch whose address and phone number are noted below.

Yours very truly,

DONALD J. MILLIGAN
for the firm.

DJM:vc

cc: Mr. N. B. Welch
174 North Shore Blvd. E.
Burlington, Ontario
L7T 1W4

637-5895



ONTARIO LEGISLATIVE COMMITTEE
CANADIAN RAILWAY
LABOUR ASSOCIATION

JUL 17 1986
CITY CLERKS

UNITED TRANSPORTATION
UNION

BROTHERHOOD OF
LOCOMOTIVE ENGINEERS

BROTHERHOOD OF
MAINTENANCE OF WAY EMPLOYEES

C. W. Carew
CHAIRMAN
486 N. Christina St.
Sarnia, Ont.
N7T 5W4
(519) 336-8222

W. W. Watson
VICE-CHAIRMAN
89 Bainbridge St.
Sault Ste. Marie, Ont.
P6C 2H1
(705) 253-6781

P. J. Lemenchick
SECRETARY-TREASURER
9 Elmsley Crescent
Nepean, Ontario
K2H 6T9
(613) 828-1173

July 11, 1986

Honorable Mayors,
Regional Municipalities and Counties,
Province Of Ontario

Dear Sir/Madame:

The Ontario Legislative Committee, Canadian Railway Labour Association, representative of 14,000 Railway Workers in Ontario, wishes to bring to your attention, an area of grave concern to the membership we represent, and to the Communities in which you reside; that is, the proposed operation of Cabooselless Freight Trains in Canada.

As you are probably aware, there has been a period of testing of the End of Train Information System (ETIS). It is expected that Public Hearings will be announced shortly. If the Railway's wishes are abided by, there would be only one public hearing, and that, as soon as possible. We believe that public hearings should be held in convenient locations across the country, to allow for input from all interested groups.

If you perceive the proposed removal of freight train cabooses as an erosion of safety, as we do, please write to the Honorable John Crosbie, Minister of Transport, and the Secretary of the Railway Transport Committee, to call for Public Hearings across the country.

You should be receiving more background information from the Ottawa office of the United Transportation Union, which should be most helpful in making your decision to support this extremely important fight to retain cabooses.

If you require further information, please contact the undersigned.

Sincerely,

for: Dennis J. Schmitt
C.W. Carew, Chairman

DJS/r1

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SIXTEENTH Report for 1986 and respectfully recommends:

1. That payment of the account of Denron Restoration & Contracting Ltd. in the amount of \$15 744.01 for services rendered in connection with repairs to stairways and retaining walls at Ivor Wynne Stadium be approved and charged to account No. 0408-C3625.

NOTE: In approving the Capital Budget, City Council approved of undertaking certain repairs to Ivor Wynne Stadium, namely repairs to stairways and retaining walls along the south stands. The stairs and wall could be classified as a hazardous condition and in order to maintain safety and not interrupt programming at the stadium, had to be repaired.

Denron Restoration and Contracting Ltd. experts in this field were requested to carry out the repairs on a cost plus basis. The extent of the actual repairs required was not known until such time as Denron "opened" the stairways to reveal the problems.

The work has now been completed under the supervision of the Property and Maintenance Division of the Real Estate Department.

2. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to purchase land for a fire station at Stone Church Road and Upper Wellington at a gross cost of \$160 000, with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years, recoverable from the mill rate levied on all rateable property and further that application to made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$160 000 for a term not to exceed 15 years.

NOTE: Section 3 of the Tenth Report of the Personnel Committee makes reference to this project and requests the Committee to recommend the amount and source of funds to be provided for this Capital Project.

3. That the installation of poles, luminaires and electrical outlets in the Westdale Business Improvement Area, as approved by City Council on June 24, 1986, with the adoption Item 11 of the Twelfth Report of the Planning and Development Committee, in the amount of \$5 000 be financed from the 1986 Unallocated Capital Levy Account Number 0376-0298.

4. That the acquisition cost of the former Bank of Montreal Building at Main and James Street, in the amount of \$1 000 000 be financed from the Reserve for Property Purchases, Account No. 0280-02, as a commitment on the available funds in this Reserve, since the earliest this payment will be required is July 31, 1987.

NOTE: Section 31 of the Fourteenth Report of the Planning and Development Committee makes reference to this project and requests the Committee to recommend the amount and source of funds to be provided.

5. (a) That a budget of \$13 247, with the City's portion of the budget to be \$8 000 be approved for the City's hosting of a Free Trade Forum to be held at The Hamilton Convention Centre on Saturday, 1986 October 18.
- (b) That the Finance Committee be requested to recommend the method of financing this cost.
- (c) That the appropriate staff be authorized to apply for a FUTURES grant from the Ontario Ministry of Skills Department to hire a person to assist the Committee organizers for the Free Trade Forum with registrations, phone follow-ups and other associated tasks.

NOTE: Previously forwarded to the members of City Council were copies of a proposed budget and program for the Free Trade Forum.

With the adoption of Section 1 of the Eighth Report of the Executive Committee City Council at its meeting on March 25, 1986 approved the hosting of this Forum.

6. (a) That the original project name "MacNab Street Bridge over C.N. Rail Condition Survey Repair Structure" in the Capital Budget be changed to "MacNab Street and Mary Street Bridges over C.N. Rail and Parkdale Avenue Bridge over Lawrence Road - Repair Costs".
- (b) That the cost of repairing the MacNab Street and Mary Street Bridges over C.N. Rail and Parkdale Avenue Bridge over Lawrence Road at an estimated cost of \$135 000 less anticipated Roadway Subsidy of \$55 000 be financed from the 1986 Capital Levy Account No. 0376-0298.

NOTE: Section 31 of the Fourteenth Report of the Transport and Environment Committee makes reference to project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

7. (a) That as a result of the Executive Committee assuming responsibility for the Capital Budget, the Capital Budget Committee being a sub-committee of the Finance Committee, be disbanded; and
(b) That the Executive Committee assume directly the duties and responsibilities formerly performed by the Capital Budget Committee.
8. Attached for the information of the members of City Council, as Schedule "A" is a copy of a summary of Capital Projects in Progress as at June 30, 1986.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee.

9. That the cost of constructing the Pedestrian Bridge for the Interpretive Centre for the Hamilton Scourge Project at a gross cost of \$50 000 be financed from the Reserve for Capital Projects Account No. 0280-27.

NOTE: The Special Committee to Administer the Hamilton-Scourge Project makes reference to this project in its Second Report to City Council and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

10. That the cost to retain consultants for the new West Mountain Twin Arena at a gross cost of \$185 000 be financed from the Reserve for Capital Projects, Account No. 0280-27 on an interim basis pending Ontario Municipal Board approval in 1987.

NOTE: Section 18 of the Seventeenth Report of the Parks and Recreation Committee makes reference to this project and requests the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

11. RECOMMENDATION ON STANDING COMMITTEE REPORT:

The Executive Committee respectfully recommends that Item 2 of the Sixteenth Report of the Parks and Recreation Committee dealing with the appointment of Consultants for the New Crystal Palace Project be referred back to the Parks and Recreation Committee with the request that the Chairman of the New Crystal Palace Committee and City Treasurer be invited to attend its meeting to discuss this matter.

NOTE: For the information of the members of City Council, this project is included in the 1987 portion of the 1986-1990 Capital Budgets Program.

12. That leave be granted to introduce the following bill:

- (a) Bill A-15 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1986 July 17
att.

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at June 30, 1986

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
(1-50)								
1	General Administration							
1	Energy Conservation Program - 1983	07/83	12/86	200	167	33	Yes	Yes
2	Ceramic Belting Replacement							
2	and Window Repair - City Hall	01/85	12/86	100	-	60	No	Yes
3	Energy Conservation Projects -							
3	City Hall	06/84	07/87	600	1	599	No	Yes
4	Capital Construction Grant -							
4	General Hospital	10/85	08/86	800	797	3	Yes	Yes
5	Major Maintenance to Civic Buildings	05/85	07/86	200	200	0	Yes	Yes
6	Major Maintenance to Civic Buildings	05/86	12/87	200	102	98	Yes	Yes
7	Treasury Department - Purchase of							
7	IBM 4381 Computer	1986	1986	1,500			No	
8	Capital Construction Grant -							
8	Hamilton Society for the Prevention	1986	1989	149		149	Yes	Yes
9	of Cruelty to Animals							
9	Treasury Department Computer							
9	Program - Data Base and Fourth	1986	1990	550			No	
10	Generation Language							
10	Handicapped Access to							
10	Recreational Buildings	09/86	12/87	100		100	Yes	Yes
11	Energy Conservation Projects	05/86	12/86	50		50	Yes	Yes
12	Construction Costs/Accommodation							
12	Requirements - Aldermen's Offices	06/86	12/86	564	27	537	Yes	Yes
13	Construction Costs/Accommodation							
13	Requirements - City Hall	07/86	12/86	88		88	Yes	Yes
(51-100)								
51	Protection to Persons & Property							
51	Construction of Fire Station Quigley	07/84	08/86	840	707	133	Yes	Yes
52	and Albright Road							
52	Fire Stn. E. Mountain - Limeridge Rd.	05/86	09/87	960	54	966	Yes	Yes
52	& Upper Ottawa St./Construction							

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)									
as at June 30, 1986									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Yes or No (9)	
(51-100) Protection to Persons & Property - Continued									
53	Fire Stn. E. Mountain & Limeridge/ Vehicle Purchase	06/86	06/87	200		200	Yes	Yes	
54	Fire Stn. - Stone Church Road & Upper Wellington/Land Acquisition	1986	1986	160			No		
(101-150) Department of Transportation									
101	C.N.R. Culvert - Lancing Drive Extension	1986	1987	120			No		
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	280		280	Yes	Yes	
103	Road Access - Riverdale East Neighbourhood	08/86	11/86	377		377	Yes	Yes	
104	McNab Street Bridge over C.N. Rail	1986	1987	196		196	Yes	Yes	
105	Windmere Basin - Clean Up	1986	1987	750			No		
106	Roxborough Avenue Reconstruction	1986	1986	390		390	Yes	Yes	
(201-250) Parking Authority									
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No	Yes	
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	12/86	590	107	483	Yes	Yes	
203	Parking Facility in Southeast Quadrant	1986	1986	800			No		

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)									
as at June 30, 1986									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(251-300) Department of Public Works									
251	Replacement of Wentworth Street Steps - Lower Section	10/85	09/86	230	159	71	Yes	Yes	Yes
252	Addition/Alterations to Yard Bldg. Ferguson Ave. N. Dist. Yard #2	11/85	06/86	125	115	10	Yes	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	08/86	293	251	42	Yes	Yes	Yes
254	Replacement of James Street Steps	05/86	05/87	300		300	Yes	Yes	Yes
255	Construction of Salt Dome - Chedoke	05/86	11/86	131		131	Yes	Yes	Yes
256	Centralized Computer Fuel System	05/86	12/86	300		300	Yes	Yes	Yes
257	Water Course Drop Structure	05/86	10/86	70		70	Yes	Yes	Yes
(301-350) Department of Culture & Recreation									
301	Replacement of Ice Making System - Coronation Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
302	Parkland Acquisition Programme	01/85	12/87	500	1	499	Yes	Yes	Yes
303	Replacement of Ice Making System - Inch Park Arena	10/85	06/86	900	666	234	Yes	Yes	Yes
304	Replacement of Ice Making System - Parkdale Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
305	Capital Grant - McMaster University - Resurfacing Track	11/85	06/86	100	100	-	Yes	Yes	Yes
306	Replacement of Ice Making System - Eastwood Arena	05/86	10/86	725	503	222	Yes	Yes	Yes
307	Bikepaths (Phase 1)	1986	1986	330		330	Yes	Yes	Yes
308	Replacement of Ice Making System - Scott Park Arena	1986	1986	600	33	567	Yes	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

as at June 30, 1986

Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No	
							Construction (8)	Budget (9)
(351-400) Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/87	1,275	555	720	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	07/86	625	354	271	Yes	Yes
353	Mohawk Sports Park Stage IV	10/82	12/86	550	230	320	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	07/86	150	137	13	Yes	Yes
355	Mohawk Sports Park (Stage 5)	08/85	04/87	650	9	641	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	12/86	86		86	Yes	Yes
357	Mohawk Park - Track Facility	1986	1986	300		300	Yes	Yes
358	Mohawk Park - Floodlights	10/86	05/87	120		120	Yes	Yes
359	Waterfront Parks Development - Environmental Study	1986	1986	400		400	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	06/87	200		200	Yes	Yes
361	Halfway House - Chedoke Golf Course	05/86	06/87	50		50	Yes	Yes
(401-450) Victor K. Copps Trade Centre/Arena								
401	Central Utilities Plant - New Equipment	05/85	09/86	316	10	306	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	10/86	40,540	39,239	1,301	Yes	Yes
403	Automated Facilities Management Computer System	1986	1988	297			No	
(451-500) Hamilton & Scourge Project								
451	Hamilton & Scourge Part of Stage 1	1986		100			No	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

as at June 30, 1986 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(501-550)	Hamilton & Public Library Board								
501	Kenilworth Branch Renovations	05/86	12/86	404		404	Yes	Yes	Yes
502	Main Library Book Hoist Improvements	05/86	11/86	60		60	Yes	Yes	Yes
(551-600)	Hamilton Place								
551	Hamilton Place - Great Hall Sound Console	1986	1986	175			No		
(651-700)	Hamilton Convention Centre								
651	Hamilton Convention Centre Furniture & Equipment	1986	1986	62		62	No		
(701-750)	Community Development Department								
701	Downtown Action Plan - Phase III B	07/86	11/86	1,300	241	1,059	Yes	Yes	Yes
702	Downtown Action Plan - Phase II	07/85	06/86	1,603	1,579	24	Yes	Yes	Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	10/84	3,529	3,521	8	Yes	Yes	Yes
704	James St. North Streetscape	1986	1987	1,764		1,764	Yes	Yes	Yes
705	Facade Improvement Program	1986	1988	100		100	Yes	Yes	Yes

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FOURTEENTH Report for 1986 and respectfully recommends:

1. That the following apartment building(s) be added to the collection of compacted waste service provided by the City of Hamilton, subject to compaction facilities being installed and operational
 - i. 35 Brock Street North (110 units)
 - ii. 600 John Street North (110 units)
2. That whenever sidewalks are being reconstructed within a recognized Business Improvement Area (B.I.A.), in conjunction with the uni-stone boulevard reconstruction:
 - a) That flowers and hanging baskets are also to be provided as part of the upgrading and,
 - b) that this be financed from the reconstruction programme
3. (a) That a purchase order be issued to Marsh Bros. Tractor Inc. Copetown, for the supply and delivery of one (1) 44 HP. Diesel Industrial Tractor for the Central Garage, in the amount of \$14 186.06, including all applicable charges and taxes, including trade-in allowance, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest of four (4) tenders received. Funds provided in account #0280-01.

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- (b) That a purchase order be issued to Bryan Farm Supply Ltd., Puslinch, for the supply and delivery of four (4) Four Wheel Drive Diesel Industrial Tractors with attachments and trade-ins for the Central Garage, in the amount of \$86 644.32, including all applicable charges and taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in account #0280-01.

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-
-
- (c) That a purchase order be issued to Waterford Sand & Gravel Ltd., Waterford, to provide all labour and equipment for Rock Crushing at Brampton Street Public Works Yard at a cost of \$4.60 per tonne, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in account #0350-2619.

- (d) That a purchase order be issued to Equipment Centre Hamilton, Stone Creek for the supply and delivery on One (1) Concrete Saw, One (1) Vibrating Roller and One (1) Vibration Rammer for a total cost of \$22 297., Provincial Sales Tax extra at 7%, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of five (5) tenders received. Funds provided in account #0350-1475/3475/2675.

4. (a) That the City of Hamilton purchase from Ontario Hydro a parcel of land known as part of Lot 10, Concession 8, formerly the township of Barton, now in the City of Hamilton and more particularly described as Part 1, Reference Plan 62R-8101 for the sum of \$5 400 subject to the following conditions in favour of Ontario Hydro. The purchase price is to be charged to account 0280-02.
- i. The applicant will be liable for 100% of the total costs of any necessary revision or relocation of Ontario Hydro plant.
 - ii. The City, at its expense, is to erect a cable barrier along each side of the road allowance. These barriers are to be constructed in accordance with the attached specifications.
 - iii. The applicant must ensure that all construction equipment working on lands maintains a clearance of at least 15 feet to the nearest overhead transmission line conductor, (up to and including 230kV). (Over 230 kV 20 foot clearance must be maintained.) Existing road grade must be maintained.
 - iv. The lands will be deeded for public highway purposes only.
 - v. The applicant, if required, will be responsible for any application and the costs thereof to the Committee of Adjustment or the Land Division Committee and will also be responsible to pay all costs to comply with any conditions thereby imposed.
 - vi. Upon completion of construction, the applicant must satisfactorily restore the subject lands, together with any additional Ontario Hydro lands which may be damaged during construction for this project. In this regard, the applicant will be required to contact R. L. Stephens, Ontario Hydro, 570 Yonge Street, Willowdale, Ontario, M2M 3T7, Telephone: 222-2571, extension 328, to arrange a final inspection of the property.
 - vii. The applicant must, at its expense, construct "curb cuts" of at least 12 feet in length to enable Ontario Hydro vehicles to gain access to its adjacent lands.

viii. The applicant must give two working days notice prior to construction, and in this regard kindly complete and return the attached "Notice of Entry" form. In the event safety supervision is deemed necessary by Ontario Hydro any charges in this regard will be the responsibility of the applicant.

ix. No lighting standards are to be erected on the lands without the prior approval of Ontario Hydro.

NOTE: In order to facilitate the development of lands in the Butler Neighbourhood, the City requires, for roadway and municipal services, a parcel of land owned by Ontario Hydro.

The land required by the City is located 66 metres southerly from Stone Church Road East and will measure 20 metres in width across Ontario Hydro's north/south corridor that is located between Upper Wentworth and Upper Sherman Avenue.

- (b) That an Option to Purchase a parcel of land in the proposed subdivision known as Gurnett Estates, Phase III executed by the owner, DiCenzo Construction Company Limited on June 18th, 1986 and scheduled for closing on or before September 11th, 1986 be approved and completed.

NOTE: This property, which is required by the City for roadway purposes, is an irregular parcel of land having a total area of approximately $2\ 160.66\text{m}^2$ (23 258 square feet). The purchase price of \$1 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (c) That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on May 1st, 1986 by the Purchaser, Gurnland Development Inc. and scheduled for closing on September 11th, 1986 be approved and completed.

NOTE: The property is an irregular parcel of land having a total area of approximately $2\ 160.66\text{m}^2$ (23 258 square feet) that is required for roadway purposes in the proposed subdivision known as Gurnett Estates, Phase III. The purchase price is \$251. A deposit of \$25 is being held by the City Treasurer pending Council approval.

- (d) That an Option to Purchase lands at the rear of Limeridge Road East, for the extension of Leggett Crescent, executed by Carol McAlister on June 13, 1986 and scheduled for closing on September 22, 1986, be approved and completed. Subject lands are being purchased for \$1 and are shown as Part 5 on Plan 62R-4626.

The Vendor acknowledges to the City that the Vendor realizes that the land she retains will:

- i. be bounded on the north side of Part 5 be a 1' Reserve separating her remaining land (Parts 6 and 7) from highways to be established by the City; and
- ii. not qualify for a Building Permit until she pays a share of the services to be installed in the said new highway; and
- iii. be separated from the highway by the said 1' Reserve until payments referred to in ii above are paid.

It is understood and agreed that the Purchaser will place the subject lands in the proposed subdivision known as Gurnett Estates, Phase III and the said lands to be used for roadway purposes will form part of Guildwood Drive. The proposed plan of subdivision is to be registered by November 15th, 1986. If in default, the said Part 1 will be reconveyed to the City of Hamilton immediately following November 15, 1986 for the purchase price of \$1 without interest.

The Purchaser agrees to sign the Deed to him to give effect to the above paragraph.

- (e) That an Option to Purchase a vacant parcel of land abutting Greenhill Avenue at Vienna Street executed by Cochren Construction Co. Limited, and more particularly described as Parts 2, 3 and 4 on Survey Plan Y-20243 prepared by Mackay, Mackay & Peters Ltd., and scheduled for closing on September 10, 1986, be approved and completed.

NOTE: The subject lands are being purchased for the sum of \$1 and are being acquired by the City for roadway purposes.

- (f) That an Offer to Purchase the lands of The Corporation of the City of Hamilton for the sum of \$251, duly executed on June 28, 1986 by the Purchaser, Mel Lawson, and Gordon Lawson Enterprises Ltd. and scheduled for closing on September 10, 1986 be approved and completed.

NOTE: The property is an irregular shaped parcel of vacant land having a frontage along the western limit of Greenhill Avenue, across from Vienna Street and is more particularly known as Parts 2, 3 and 4, Plan Y-20243 prepared by Mackay, Mackay and Peters Ltd. The land is required for roadway purposes and is to be included in the proposed plan of subdivision to be known as Nash Orchard Heights North. A deposit in the sum of \$25 is being held by the City Treasurer pending Council approval of this transaction.

- (g) That an Option to Purchase a vacant parcel of land at the rear of 2420 Barton Street East executed by Frank Frisina on June 6, 1986 and schedule for closing on or before September 10th, 1986 be approved and completed.

NOTE: This property which is required by the City for roadway purposes is a rectangular parcel of land having a total area of 287 m² (3,089 square feet). The purchase price of \$1.00 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (h) That an Option to Purchase a vacant parcel of land at the rear of 2434 Barton Street East executed by 350714 Ontario Limited (Frank Frisina) on June 6, 1986 and scheduled for closing on or before September 10, 1986 be approved and completed.

NOTE: This property which is required by the City for roadway purposes is a rectangular parcel of land having a total area of 250 m² (2,691 square feet). The purchase price of \$1.00 is to be charged to account number 0280-02. Consideration in this amount has been paid to the owner and pursuant to the agreement forms part of the purchase price.

- (i) That an Offer to Purchase the lands of The Corporation of the City of Hamilton for the sum of \$7 514., duly executed on June 6, 1986 by A. Pompeani Enterprises Ltd., and scheduled for closing on September 10, 1986 be approved and completed.

NOTE: The subject property is composed of lands at the rear of 2418-2444 Barton Street East more particularly described as Parts, 1, 2, 3, 4 and 5 on Reference Plan 62R-8174 that is required for roadway purposes in the plan of subdivision known as Eastgate High. The purchase price is \$7 514. A deposit of \$752.00 is being held by the City Treasurer pending Council approval of this transaction.

In disposing of this property it is understood and agreed that,

1. the Purchaser will place the subject lands in the proposed Plan of Subdivision known as Eastgate High and the said lands will be used for roadway purposes. The proposed plan of subdivision is to be registered by April 15, 1987. If in default the said Parts 1, 2, 3, 4 and 5 will be reconveyed to the City of Hamilton immediately following April 15, 1987 for the original purchase price without interest.
2. a one foot reserve will be established by A. Pompeani Enterprises Ltd., along the northerly boundary of Parts 2, 3, 4 and 5 in order to recover the cost of services. Also a one foot reserve along the southerly boundary of Part 5 that is abutting 183 Centennial Parkway.

3. the sale of the subject lands is conditional on the City of Hamilton completing the purchase of Parts 2 and 3 by the above closing date.
4. the Purchaser will sign the Deed to him to give affect to paragraphs 1 and 2.
5. the sale of these lands to the Purchaser is for the construction of a roadway and the said lands may not be used for any other purpose.
5. (a) Northbound traffic on Ferndale Avenue be required to stop for eastbound and westbound traffic on Dunkirk Drive; and,
(b) The City Traffic By-law 66-100 be amended accordingly.
6. (a) That eastbound and westbound stop control be implemented at the intersection of Upper Sherman Avenue and Mountain Park Avenue, such that the intersection will be controlled by a three-way stop; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
7. (a) That three-way stop control be implemented at the intersection of Magnolia Drive and Daisy Street.
(b) That parking be prohibited on the north side of Magnolia Drive between Daisy Street and Appleford Road; and,
(c) That the City Traffic By-law 66-100 be amended accordingly.
8. (a) That four-way stop control not be implemented at the intersection of East 18th Street and Brucedale Avenue at this time.
(b) That the City Traffic By-law 66-100 be amended accordingly.
9. (a) That parking be prohibited on the west side of Angelina Place between Regent Avenue and the southerly end; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
10. (a) That the existing parking prohibition on the south side of Clare Avenue between Beach Boulevard and the westerly end be switched to the north side of the street; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.

11. (a) That the existing "One Hour Parking Time Limited, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of West 4th Street between Fennell Avenue and Wembley Road be replaced with a "One Hour Parking Time Limited, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation; and,
 - (b) That the existing "One Hour Parking Time Limited, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of West 4th Street between Wembley Road and McElroy Road be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m, Monday to Friday" regulation; and,
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
12. (a) That the existing stopping prohibition on the east side of Belwood Avenue between Alpine Avenue and a point 50 feet southerly be shortened, such that the prohibition extends to a point 38 feet south of Belwood; and,
 - (b) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Belwood Avenue, immediately north of Concession Street, be extended such that the regulation extends to a point 38 feet south of Alpine Avenue; and,
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
13. (a) That the Residential Boulevard Parking Agreement registered as instrument number 368804A.B., to the property at No. 309 Queen Street South be discharged, at the property owners expense; and,
 - (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
14. That the application by Eastgate Variety to lease a portion of the boulevard on Cope Street adjacent to 1505 Main Street East be approved, provided that:
 - i) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100., per year) plus taxes, if any, in addition to the \$10., annual encroachment insurance charge approved by the City Council on 1984 February 14.
 - ii The owner pays a one time \$25., registration fee, as approved by the City Council on 1986 January 14.
 - iii) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.

- iv) The parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v) The owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
15. (a) The Residential Boulevard Parking agreement registered as Instrument No. 169238 C.D. to the property at No. 120 Sanford Avenue South be discharged, at the property owner's expense; and,
- (b) The City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
16. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m, Monday to Saturday" regulation on the east side of Terrace Drive, south of South Bend Road East, be lengthened, such that the regulation commences at a point 315 feet south of South Bend Road East and extends to a point 324 feet southerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
17. (a) That parking be prohibited on the east side of MacNab Street North commencing at a point 141 feet north of Cannon Street West and extending to a point 29 feet northerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
18. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first five applicants residing in the apartment building at No. 149 Hess Street South.
19. (a) That Centennial Parkway from 217 feet north of Barton Street to 165 feet south of Arrowsmith Road be designated as a continuous two-way left turn lane; and,
- (b) That Centennial Parkway from 211 feet north of Delawana Drive to 38 feet south of Violet Drive be designated as a continuous two-way left turn land; and,
- (c) That the City Traffic By-law 66-100 be amended accordingly.

20. (a) That a parking prohibition be implemented on the east side of East 28th Street commencing at Fennell Avenue and extending to a point 47 feet northerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
21. That the application of Frank Sandola, Solicitor, on behalf of the owner(s) of 92 Glendale Avenue North, John Durno and Jessie Way, to retain the following inadvertent encroachment consisting of a concrete porch and steps, 2.24 m by 3.05 m, be approved during the pleasure of City Council, provided:
1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set up for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
22. That the application of John J. Dipietro, Solicitor on behalf of the owner(s) of 271 Roxborough Avenue, Lawrence O'Brien and Joseph Collina, to retain the following inadvertent encroachment consisting of 1 1/2 storey brick and aluminum sided building, 2.69 m by 7.19 m be approved during the pleasure of City Council, provided:
1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims, demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
23. That the application of Brock Bedford, Solicitor, on behalf of the owner(s) of 5 Hunt Street North, Edward and Suzanne Anderson, to retain the following inadvertent encroachment consisting of concrete and wood porch and steps, 0.78 m by 3.08 m, be approved during the pleasure of City Council, provided,
1. That the owner(s) enter into an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims, demands, costs, damages, expenses and loss.

2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
24. That the application of Emil Fedak, Solicitor, on behalf of the owner(s) of 26 Ellis Street, Hugh and Rose Goodbrand, to retain the following inadvertent encroachment consisting of 1-1/2 storey frame building, 0.06 m by 1.76 m, and concrete steps, 1.35m by 1.22 m, be approved during the pleasure of City Council, provided:
 1. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action interest, claims demands, costs, damages, expenses and loss.
 2. That an annual fee of \$35., be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
25. (a) That "Opera Hamilton" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 August 11 to 1986 August 18, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (b) That "Hadassah-Wizo" organization of Hamilton be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 September 1 to 1986 September 8, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (c) That "Hadassah-Wizo" organization of Hamilton be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 October 19 to 1986 November 2, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- (d) That the "Week of the Child for Hamilton-Wentworth" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 October 13 to 1986 October 20, subject to the policy guidelines and conditions approved by Council on 1985 October 29.
- 26 (a) That the City Solicitor be authorized to make application to a County Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order closing the public walkway in Lisgar Neighbourhood, from Larch Street to Northgate Drive.
- (b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting property owners under Section 57 of The Surveys Act, R.S.O. 1908; and

- (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed; and
 - (d) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court; and
 - (e) That the applicant prepare and register a reference plan under The Registry Act, the plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed walkway is to be distributed between the abutting owners; and that the applicant deposit a reproducible copy of the plan with the Regional Surveyor; and
 - (f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing pursuant to Section 48 of The "Regional Act".
27. (a) That the Director of Real Estate be authorized and directed to negotiate the acquisition of the four properties known as municipal numbers 324 and 332 Magnolia Drive and 118 and 128 Guildwood Drive in the Fessenden and Gurnett Neighbourhoods on a willing buyer/seller basis.
- (b) That once the properties are acquired, acceptance of this recommendation will further authorize the Real Estate Department to allocate the easterly ten foot flankage of 324 Magnolia Drive and 128 Guildwood Drive, and the westerly ten foot flankage of 332 Magnolia Drive and 118 Guildwood Drive for the construction of a public walkway connecting the Fessenden and Gurnett Neighbourhoods. The remaining properties and residences thereon to be immediately marketed.

NOTE: The 1986 Capital Budget includes an item for the acquisition of properties in the Fessenden and Gurnett Neighbourhoods for the construction of a public walkway to connect these neighbourhoods. The 1986 Current Budget also includes funds to construct the asphalt path, install fences and light the walkway.

28. (a) That the request of Hamilton East Kiwanis Non-Profit Homes Inc., owner of 78 Burlington Street West, to discharge the encroachment agreement for this address, Instrument No. 211087 C.D. registered on 1982 April 2, be approved, subject to the satisfaction of the City Solicitor; and
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.

29. (a) That the limits of reconstruction of the sidewalks and roadway on Oak Avenue from Birge Street to Cannon Street be revised to Barton Street to Cannon Street.
- (b) That the reconstruction of the sidewalks and roadway on Oak Avenue between Barton Street and Birge Street be considered for inclusion on the 1988 Preliminary Reconstruction Program.
30. That the following recommendation regarding the proposed road closure of Gosford Drive from Upper Paradise Road to Gilcrest Street, Gurnett Neighbourhood not be adopted.
- i) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale, for one (1) dollar to the abutting owner Gurnland Development Inc., of Gosford Drive, from Gilcrest Street to 102.263 m easterly pursuant to the Municipal Act R.S.O. 1980.
 - ii) Said By-law to proceed only after the applicant has complied with clauses iv, v, vi, and vii of this recommendation, and an alternate access road connecting Upper Paradise Road and Gilcrest Street has been constructed, to the satisfaction of the Commissioner of Engineering.
 - iii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.
 - iv) That the applicant provide a 2.0 m easement to Union Gas Ltd., with respect to their plant on Gosford Drive.
 - v) That the applicant provide a 3.0 m easement to Bell Canada with respect to their plant on Gosford Drive.
 - vi) That the applicant provide a full width of road allowance easement to the Regional Municipality of Hamilton-Wentworth for future storm and sanitary sewers on Gosford Drive.
 - vii) That Hamilton Hydro Electric System be permitted to retain their existing pole line on Gosford Drive, until such time as an alternate road allowance, from Upper Paradise Road to Gilcrest Street is made available.
 - viii) The applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed street is to be distributed to the owner, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;

viv) The Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.

NOTE: For the information of the members of City Council, the above recommendations were lost on a 3 - 3 tie vote and in accordance with Council's policy, are being forwarded at this time for Council's consideration. Copies of reports from the Department of Transportation dated 1986 July 7 and Mr. D. A. Powers, City Solicitors Office dated 1986 July 10 dealing with this item and which were considered by the Transport and Environment Committee at its meeting held 1986 July 14 have been forward to all members of City Council as background information.

31. (a) That the Commissioner of Engineering be authorized and directed to undertake the required repairs to the MacNab Street and Mary Street Bridges over CN Rail and the Parkdale Avenue Bridge over Lawrence Road.
- (b) That the Capital Budget 1986-1990 No. 36152 MacNab Street Bridge be revised to include the Mary Street Bridge over CN Rail and the Parkdale Avenue Bridge over Lawrence Road for repair.
- (c) That the Executive Committee recommend the source of funds to be provided for this Capital Project in the amount of \$135 000.
32. (a) i. That the submitted schedules for the estimated cost of services in "Roma Gardens - Phase 2" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement.
- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- iv. The Final Survey Plan for "Roma Gardens - Phase 2" not be released for registration until the Final Survey Plan for "Gurnett Estates - Phase 3" has been registered.
- (b) i. That the submitted schedules for the estimated cost of services in "Park Plaza Estates - Phase 3" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
 - iii. That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
33. That the Commissioner of Transportation be authorized and directed to contact the various newspaper companies to request their voluntary co-operation to limit the number of newspaper boxes on the road allowance at intersections in any one location to a maximum of three (3) which includes post boxes.
34. That the application of Dan A. Gaskin and Michele L. Gaskin on behalf of the owners of 174 John Street South, the "Pizza Palace" restaurant, 628855 Inc., requesting permission to establish an outdoor boulevard cafe on the road allowance of Augusta Street, subject to receiving approval of the Ontario Municipal Board for their rezoning application, be approved, during the pleasure of Council, provided that;
- 1. The owners prepare a Licencing Agreement, satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - 2. The owners pay the applicable annual licence fee for a Seasonal Licence (from May 1st to October 31st), "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by the licence" be set for this privilege, which fee shall be due and payable to the Corporation, 30 days from the date of this resolution, satisfactory to the City Solicitor;
 - 3. The owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all times;

5. That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by Council on August 28, 1984; and as amended on July 30, 1985.

35. That leave be granted to introduce the following Bills:

B-46 To Amend By-law No. 66-100 to Regulate Traffic

B-47 To Amend By-law No. 66-100 to Regulate Traffic

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN,
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson,
Acting Secretary
1986 July 14

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SEVENTEENTH Report for 1986 and respectfully recommends:

1. (a) That approval be given for the purchase and installation of traditional playground equipment in 1986, at a basic cost of \$5,000., per location for Macassa, Sherwood and Bobby Kerr Parks.
- (b) That in the interim, staff meet with interested neighbourhood residents to explore needs, types of equipment and any interest in cost-sharing of same in excess of \$5,000.
- (c) That funding for this equipment be charged to the 5% Land Dedication Fund.
2. (a) That George Baird/Sampson Architects, be retained as Professional Advisor, for the New Crystal Palace National Design Competition, at the proposed upset fee for all consulting services of \$40,100.
- (b) That the total budget for the competition not exceed \$300,000.

THE EXECUTIVE COMMITTEE RESPECTFULLY RECOMMENDS THAT THIS MATTER BE REFERRED BACK TO THE PARKS AND RECREATION COMMITTEE WITH THE REQUEST THAT THE CHAIRMAN OF THE NEW CRYSTAL PALACE COMMITTEE AND CITY TREASURER BE INVITED TO ATTEND ITS MEETING TO DISCUSS THIS MATTER.

NOTE: FOR THE INFORMATION OF THE MEMBERS OF CITY COUNCIL, THIS PROJECT IS INCLUDED IN THE 1987 PORTION OF THE 1986-90 CAPITAL BUDGET PROGRAMME.

3. (a) That permission be granted to the Ontario Ministry of the Environment to locate an air monitoring station in Beasley Park.
- (b) That a form of agreement, satisfactory to the Director of Public Works and the City Solicitor, be entered into between the City of Hamilton and the Ministry of the Environment with regard to the installation.
- (c) That the actual location of the installation within the park be satisfactory to the Director of Public Works.
- (d) That the Ministry of the Environment provide an amount of \$500. for appropriate landscape of the installation.

4. (a) That the lower section of Sam Lawrence Park be temporarily cordoned off and public access prohibited.
- (b) That the Department of Public Works develop terms of reference for the hiring of Landscaping and Engineering Consultants to upgrade and improve Sam Lawrence Park.
- (c) That a Public Participation Programme be included in the terms of reference.
- (d) That the Director of Public Works review the original plans of Sam Lawrence Park.
- (e) That an on-going Maintenance Programme be included in the terms of reference.
5. (a) That the amount of money up to \$40,000. required for the late August spraying of the Non Horticultural Parks be charged to account 0364 3619 - Weed Spray Programme; allowing an overdraft to occur.

That in late September a report be submitted to the Parks and Recreation Committee, indicating any savings in other Parks Division accounts, with the Committee's approval, be transferred to cover all or a portion of this overdraft.
- (b) That \$15,000. spent for the development of Mangalore Gardens be charged to account number 0364 5660 - Park Development, allowing an overdraft up to \$15,000.

That all monies saved on previously approved and funded projects within this account be used to reduce this overdraft; with the remaining amount to be funded from the 5% dedication fund.
6. That Bocci Courts at the following locations be financed from the 5% Land Dedication Account:
 - (a) Mountain Arena - Including Lighting & Fencing - \$11,500.
 - (b) Bruce Park - \$4,000.
 - (c) Glencastle Park - \$4,000.
 - (d) Greenhill Park - Lighting & Fencing to Existing Court - estimated cost \$8,500.
7. That the Parks Division be permitted to run an overdraft of up to \$10,000. in account #0364-37XX to cover the costs of maintaining the Veevers Estate Property at minimum horticultural standards.

8. (a) That the "Welcome to Hamilton" sign being proposed for Olympic Park not be approved at this time and that this matter of warmly welcoming tourists and visitors to the Regional Centre and providing them with directions and information be forwarded to the Region of Hamilton-Wentworth, to both the Economic Development Department and the Transportation Department to prepare a report on how to carry out signage and information at the entrances to the Regional Centre as well as en route to the major attractions.
- (b) That both the Chamber of Commerce and Mediacom be advised of this direction and be thanked for their co-operation to date on these signs.
9. That approval be given to demolish the City owned property at 127 West Avenue South purchased by the City in December 1980 for the future Stinson Neighbourhood Park Priority One.
- 10 That approval be given for the sale, to the abutting owners, of a 12 foot alleyway (as closed by Judge's Order, Instrument No. 195821 N.S.) together with surplus land at the rear of Hillcrest Avenue between Chedoke Avenue and Flatt Avenue, at a purchase price of \$351.00 each. Proceeds of the sale are to be credited to Account No. 0280-11. A deposit cheque from each owner, in the amount of \$35.00 is being held by the City Treasurer, pending approval of these transactions.

	<u>NAME</u>	<u>ADDRESS & DESCRIPTION</u>	<u>AREA</u>	<u>CLOSING DATE</u>
i.	Wm. Ormond	233 Hillcrest Ave Pt. 7, Plan 62R-8153	1031.76 sq. ft.	Sept. 8/86
ii	Mary Margaret Edge	237 Hillcrest Ave Pt. 6, Plan 62R-8153	1031.76 sq. ft.	Sept. 9/86
iii	Frank & Suzanne Kovacs	241 Hillcrest Ave Pt. 5, Plan 62R-8153	1031.76 sq. ft.	Sept 10/86
iv	Walter Thomas & Ella M. Shrubsall	245 Hillcrest Ave Pt. 4, Plan 62R-8153	1031.76 sq. ft.	Sept 11/86
v	Gregory Paul & Cheryl L. Gallo	249 Hillcrest Ave Pt. 3, Plan 62R-8153	1031.76 sq. ft.	Sept 12/86
vi	Marnie MacKay	255 Hillcrest Ave Pt. 1, Plan 62R-8153	1157.08 sq. ft.	Sept 16/86

11. (a) That the City of Hamilton enter into a lease arrangement with E.K. Tour Boat Service Limited for the use of a portion of the City's five acre Pier 4 Park adjacent to the Leander Boat Club, subject to the following:
- (i) This is a temporary location and subject to change at the discretion of City Council.
 - (ii) The Lessee being responsible at its own cost for the installation of all hydro and telephone utilities.
 - (iii) That all servicing of the boat, such as maintenance, repair, garbage and sewage disposal be performed elsewhere.
 - (iv) That the Lessee be responsible for any liability and damage as a result of its service.
 - (v) The approval of the Hamilton Harbour Commission for the Lessee's use of their water lot for the floating dock and the use of the parking lot.
 - (vi) The approval of the Hamilton Region Conservation Authority for the method of installation of the gangway leading from the Lessee's floating dock and its connection on the City's Pier 4 Park.
 - (vii) Any additional matters deemed necessary between the authorities involved.
- (b) That the lease term be for a period commencing July 1st, 1986 to November 30th, 1986. In view of the initial start-up costs associated with the construction of the floating dock, gangway and installation of services and the fact that the Lessee only leases a small area where the gangway connects to the lookout platform owned by the City, this department is recommending that the rent for 1986 be a flat rate of \$100 plus any realty and business taxes generated by this operation.
- (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
12. (a) That the City of Hamilton enter into a landscaping agreement with Lynda Mary Ashbee, 124 Kimberley Drive to lease approximately 7,800 square feet (724.62m²) of vacant land north and at the rear of 124 Kimberley Drive for a period of one year commencing September 1, 1986 at a yearly rental of \$1.00 plus taxes estimated to be \$160.00. The first year's rent has been paid and credited to Account 0306-0513.
- (b) That the Agreement be executed by the Mayor and City Clerk.

13. (a) That the City enter into a lease agreement with Lowney Inc. that enables the City to use the lands on the south east corner of Sanford Avenue South and Cumberland Avenue for playground purposes. The term of the agreement is one (1) year at the rental rate of \$1.00 per year, payable in advance, renewable from year to year, subject to termination by either party upon sixty (60) days prior written notice.
- (b) It is further recommended that the Mayor and City Clerk be authorized to execute the lease agreement subject to the satisfaction of the City Solicitor.
14. That a purchase order be issued to Turf Care, Markham, Ontario for the supply and delivery on one (1) Toro Greensmaster 300 Model 04345 complete with attachments for a total cost of \$17 240.91, including all taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of two tenders received. Funds provided in account no. 0364-0575.

15. That a purchase order be issued to Murray Towns, Simcoe for the supply of Sandy Loam Top Soil at a cost of \$3.00 per cubic yard in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Only supplier available. Funds provided in account no. 0364-9823. Approximate requirement - 5,000 cubic yards for a total cost of \$15,000.

16. That a purchase order be issued to Chipman, A Business Unit of C-I-L Inc., Stoney Creek for the supply and delivery of Grub Killer/Crab Grass Preventive and Fertilizer for the Cemetery Department, in the amount of \$34 031.37, including all applicable charges, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in account no. 0359-0719.

As the Fertilizer and Grub Killer will be required for July application, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

17. That a purchase order be issued to Henderson Recreation Equipment Limited, Norwich, for the supply, delivery, and installation of Creative Playstructures at King George School, for a total cost of \$15,000. including labour and applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in account #0367-0575(33).

18. (a) That Olympic Park, at Mohawk Road West and Upper Horning Road, be designated as the location for the proposed new twin pad arena.
- (b) That approval be granted to retain consultants for the new twin pad arena in advance of formal City Council approval of this project, which is provided for in the 1987 portion of the 1986-90 Capital Budget Programme.
- (c) i) That the firm of Svedas Koyanagi Architects Inc., Burlington, Ontario be retained to provide consulting services for this project at a fee not to exceed \$185 000.
- ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
- iii) That the Executive Committee be requested to recommend the method of financing the consultant's fee in the amount of \$185 000.
19. That application be made to the Minister of the Environment for exemption under Section 29 of the Environmental Assessment Act, for the proposed Hamilton Waterfront Master Plan.

Note: At its meeting held 1985 October 29, City Council authorized the preparation of the subject Exemption Order Application. The City retained Booth Aquatic Research Inc., to assist in preparing the application and together with them, staff has worked closely with the Environmental Assessment Branch of the Ministry of Housing compiling the required documentation for the Application.

Copies of the complete application with appendices are available from the Secretary of the Parks and Recreation Committee.

20. That permission be granted to the Hamilton/Burlington YMCA Sailing School, to operate a Waterfront Cafe which will include the sale of light beer, in conjunction with the 1986 Waterfront Celebrations, August 23 and 24, 1986, on the understanding that same will be confined to those lands leased for their use from the City, and subject to approval by the L.L.B.O.

NOTE: It should be noted that all proceeds derived from same would be utilized to offset expenses incurred in the operation of their Sailing School program.

21. (a) That the participants in the 1986 Rowing Program sponsored by the City of Hamilton in co-operation with the Leander Boat Club be required to sign a Waiver of Liability Form, satisfactory to the Director of Culture and Recreation and City Solicitor.
- (b) That inasmuch as this program is being sponsored by the City, that the Leander Boat Club not be required to add the City as an additional named insured, on its Insurance Policy.
22. That permission be granted to the Canadian Football Hall of Fame Induction Committee to:
- i) Hold their annual Golf Tournament at King's Forest Golf Course, on Friday, October 24th.
- ii) Utilize the Main Dining Room of the King's Forest Club House for their Sunday Brunch, October 26th.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. S. K. Reeder
Acting Secretary
1986 July 15

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its FIFTEENTH Report for 1986 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 41 to redesignate the subject lands from "Residential" to "Commercial" which is shown on the attached map marked as APPENDIX "A"; and that the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs.
- B. That approval be given to Zoning Application 86-39, Stephen Blashkiw, owner, requesting a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations for property located at Nos. 122 and 132 Queen Street South, as shown on the attached plan marked as APPENDIX "A", on the following basis:
 - i) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 as amended by By-law No. 79-309, applicable to the subject lands be amended to include the following variances as special requirements:
 - a) That Section 2. of By-law No. 79-309, be amended by introducing a new clause 1.(a) which reads as follows:

"1.(a) That an additional building area not to exceed 93.0 square metres permitting the joining of the two existing buildings shall be permitted."
 - (b) That Section 2.2 be deleted and replaced with the following:

"2.2 Not less than 10 parking spaces shall be provided on the land."
 - (c) That Section 2.3(a) be amended by changing the front yard depth from 2.4 m to 2.0 m.
 - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-665a, and that the subject land on Zoning District Map W-13 be notated S-665a;

- iii) That the proposed change in zoning will be in conformity with the Official Plan upon the approval of Official Plan Amendment No. 41.
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13; and,
- C. That final approval of the amending by-law by Council be withheld until such time as a Site Plan is approved by the Planning and Development Committee.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to properties municipally known as Nos. 122 and 132 Queen Street South, as shown on the attached map marked as Appendix "A".

The effect of the By-law is to amend By-law No. 79-309, by permitting a 93.0 square metre (1,000 sq. ft.) addition between the two existing buildings located at Nos. 122 and 132 Queen Street South. In addition, the By-law provides for the following variances:

- (1) to delete the required loading space
 - (2) to establish a minimum front yard of 2.0 m instead of the required 2.4 m; and,
 - (3) to permit a minimum of 10 parking spaces instead of the required 13 parking spaces
2. 1. That approval be given to Zoning Application 86-42, by Dr. Ivan Mus, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District, modified, to permit a daycare center containing a maximum of 60 children, for the property located at No. 2846 King Street East, as shown on the attached map marked as APPENDIX "B", on the following basis:
- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
 - ii) That the "C" (Urban Protected Residential) District provisions as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:

- a) That notwithstanding Section 9.(1)(iii), a day nursery for the accommodation of a maximum of 60 children shall be permitted.
 - iii) That the amending By-law to added to Section 19B of Zoning By-law No. 6593 as Schedule S-972, and that the subject land on Zoning District Map E-106 be notated S-972;
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106; and,
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 2. That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands to Schedule "A".
 - 3. That amending By-law not be passed until the applicant has applied for and received Site Plan Approval.

EXPLANATORY NOTE:

The effect of the By-law is to provide a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District, modified for the property located at No. 2846 King Street East, as shown on the attached map marked as Appendix "B".

The effect of the By-law is to permit a daycare centre for a maximum of 60 children.

- 3. That approval be given to amended Zoning Application 86-45, Ritlyn Investments Ltd., owner, requesting a modification to the established "D" (Urban Protected Residential) - One and Two Family Dwellings, etc.) District, to permit a dry cleaning pickup service at No. 234 Queen Street South, as shown on the attached plan marked as APPENDIX "C" on the following basis:
 - i) That the "D" (Urban Protected Residential, One and Two Family Dwellings, etc) District provisions as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:
 - (a) That notwithstanding the provisions of Section 10.(1), a dry cleaning pickup service shall be permitted within the existing building.

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973, and that the subject lands on Zoning District Map W-14 be notated as S-973;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and,
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District provisions for the property located at No. 234 Queen Street South, as shown on the attached plan marked as Appendix "C". The effect of the By-law is to legalize a dry cleaning pick-up service within the existing building.

- 4. That approval be given to Zoning Application 86-41, Ortega Properties Ltd., prospective owner, for a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for lands located at the northwest corner of Stone Church Road East and Upper Wentworth Street, as shown on the attached plan marked as "APPENDIX "D" on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District;
- ii) That the "RT-10" (Townhouse) District regulations as contained in Section 10D of zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement.
 - 1. that notwithstanding Section 10D(7)(a) of By-law No. 6593 a maximum of 74 townhouse dwelling units shall be permitted.
- iii) That the amending By-law be added to Section 19B of zoning By-law No. 6593 as Schedule S-974, and that the subject lands on zoning District Map E-18C be notated S-974;
- iv) That the City Solicitor be directed to prepare a By-law to amend zoning By-law No. 6593 and zoning District Map E-18C.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- vi) That the Crerar Neighbourhood Plan be amended by redesignating portions of the subject property from "Low Density Apartment" and "Single and Double" residential to an "Attached Housing" land use designation, and by deleting the proposed cul-de-sac road.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for lands located at the north-west corner of Stone Church Road East and Upper Wentworth Street, as shown on the attached plan marked as Appendix .

The effect of the By-law is to permit the construction of 74 townhouse dwelling units on the subject lands, whereas the "RT-10" District regulations would only permit a maximum of 67 units.

- 5. A. That Zoning Application 86-44, Pem Holdings Limited, owner, requesting a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District, modified, to permit the conversion of the existing dwelling into professional offices and allow for a density transfer for property located at No. 95 Duke Street, be denied for the following reason:
 - a) The requested density transfer is inappropriate in that the proposed commercial use of the building adequately compensates for the loss of allowable residential gross floor area under the established "E-3" District regulations.
- B. That approval be given to an amended Zoning Application 86-44, Pem Holdings Limited, owner, for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District, modified, for property located at No. 95 Duke Street, as shown on the attached map marked as APPENDIX "E", on the following basis:
 - i) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District;

- ii) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement;
 - a) That notwithstanding Section 10C(1) of By-law No. 6593, only the following uses shall be permitted:
 - 1. Residential Uses:
 - i) a single-family dwelling, together with the accommodation of lodgers to the number of not more than three;
 - ii) a two-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
 - iii) a three-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
 - iv) a residential care facility for the accommodation of not more than 6 residents;
 - v) a short-term care facility for the accommodation of not more than 6 residents.
 - 2. One or more of the following commercial uses:
 - i) a doctor's office;
 - ii) a dentist's office;
 - iii) a lawyer's office;
 - iv) a chartered accountant's office; and,
 - v) a finance, insurance or real estate office
 - 3. Accessory Use:
 - i) One ground sign, wall sign, or projecting sign of an area of not more than 0.4 square metres non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5

metres from the nearest street line in connection with any commercial use permitted in the district.

4. That the permitted uses identified in clauses ii)a)1. and ii)a)2. shall only be permitted within the building existing at the date of the passing of the By-law.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-975, and the subject land on Zoning District Map W-5 be notated S-975;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5; and,
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3. That final approval of the amending By-law by Council be withheld until such time as a Site Plan is approved by the Planning and Development Committee.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "DE-3" (Multiple Dwellings) District for property located at No. 95 Duke Street, as shown on the attached plan marked as Appendix "E".

The effect of the By-law is to permit the following uses within the existing building:

1. Residential uses:
 - i) A single-family dwelling, together with the accommodation of lodgers to the number of not more than three;
 - ii) a two-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;
 - iii) a three-family dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit;

- iv) a residential care facility for the accommodation of not more than 6 residents;
- v) a short-term care facility for the accommodation of not more than 6 residents.

2. Commercial uses:

- i) a doctor's office
- ii) a dentist's office
- iii) a lawyer's office
- iv) a chartered accountant's office; and,
- v) a finance, insurance or real estate office

In addition, the By-law permits a small identification sign of not more than 0.4 square metres (4.31 sq. ft.)

6. A. Subdivision Application

- (a) That approval be given to application SA-86-07, A. Pompeani Enterprises Ltd., owner, to establish a draft plan of subdivision in the area south-west of Barton Street East and Centennial Parkway North subject to the following conditions:
 - 1. That this approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated November 29, 1985, revised to show a turning circle at the westerly limit of the north access road.
 - 2. That the owner acquire sufficient land to establish the northerly road in full and to provide for its connection to Centennial Parkway North.
 - 3. That the road allowances be dedicated as public highways on the final plan.
 - 4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - 5. That the final plan conform with the zoning by-law approved under The Planning Act.
 - 6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.

7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 9. That any dead-ends or open sides, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 10. That Blocks 25 to 28 inclusive, be developed only in conjunction with adjacent lands.
 11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-07), A. Pompeani Enterprises Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

B. Zoning Application

That approval be given to Zoning Applications 86-19 and 86-20, A. Pompeani Enterprises Ltd., owner, for a change in zoning from "L-r" (Planned Development - Low Density Residential) District and "L-mr-1" (Planned Development - Multiple Residential) District, to "C" (Urban Protected Residential, etc.) District, for properties located at the rear of 155, 173 and 183 Centennial Parkway North, as shown on the attached plan marked as APPENDIX "F" on the following basis:

- i) That the lands shown as Blocks "1" and "2" be rezoned from "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;

- ii) That the lands shown as Blocks "3" and "4" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the City Solicitor be direct to prepare a by-law to amend zoning By-law No. 6593 and Zoning District Map E-104
- iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area,
- v) That the Kentley Neighbourhood Plan be amended by redesignating the lands shown as Block "3" and "4" from "Attached Housing" to a "Single and Double" residential land use designation.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for properties located at the rear of No. 155, 173 and 183 Centennial Parkway North, as shown on the attached plan marked as APPENDIX "F".

Blocks "1" and "2" - change from "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District;

Blocks "3" and "4" - change from "L-mr-1" (Planned Development Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings.

7. That approval be given to Zoning Application 86-40, Ontario Land Corporation, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, and from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District, for lands in the area north of Stone Church Road East, and east and west of the Hydro Right-of-Way, as shown on the attached plan marked as APPENDIX "G", on the following basis:

- i) That the lands shown as Blocks "1" and "2" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the lands shown as Blocks "3" and "4" be rezoned from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
- iv) That the Rushdale Neighbourhood Plan be amended by redesignating Blocks "3" and "4" from "Attached Housing" to a "Single and Double" residential land use designation, and that appropriate changes be made to the road pattern to reflect the road pattern on the draft approved plan of subdivision; and,
- v) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property in the area north of Stone Church Road East, and east and west of the Hydro Right-of-Way as shown on the attached plan marked as APPENDIX "G":

Blocks "1" and "2" - change from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District; and,

Blocks "3" and "4" - change from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District.

The effect of the By-law is to permit the subdivision of the lands for the purpose of constructing single-family dwellings.

8. That approval be given to amended Zoning Application 86-21, Gerry McDougall Enterprises Limited, owner, for a change in zoning from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District and modifications to the "A" (Conservation, Open Space, Park and Recreation) District and "M-13" (Prestige Industrial) District provisions to permit a miniature golf course on property located at No. 467 Charlton Avenue East, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "H", on the following basis:

1. That the lands shown as Block "2" on Appendix "H" be rezoned from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District;
2. That the "A" (Conservation, Open Space, Park and Recreation) District provisions as contained in Section 7 of Zoning By-law No. 6593, applicable to the subject property (Blocks "1" and "2") be modified to include the following variance as a special requirement:

- i) That notwithstanding the provisions of Section 7.(1) of By-law No. 6593, the following commercial use shall be permitted:

COMMERCIAL USE

A miniature golf course.

3. That the "M-13" (Prestige Industrial) District provisions as contained in Section 17E of Zoning By-law No. 6593, applicable to the subject property (Block "3") be modified to include the following variance as a special requirement:

- i) That notwithstanding the provisions of Section 17E(1)(c) of By-law No. 6593 the following commercial use shall be permitted:

IDENTIFICATION
NUMBER

COMMERCIAL USE

9699

Other Amusement and
Recreational Services,
limited to a miniature
golf course

4. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-976, and that the subject lands on Zoning District Map E-14 be notated S-976;

5. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14;
6. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
7. That the Stinson Neighbourhood Plan be amended by redesignating the subject property from "Industrial" and "Open Space" to "Park and Recreational";
8. That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands (Blocks "1" and "2") to Schedule "A"; and,
9. That the amending By-law not be passed by Council until the applicant has received Site Plan Approval.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a change and modification in zoning for the property located at No. 467 Charlton Avenue East, as shown on the attached map marked as Appendix "H", on the following basis:

- Block "1" - a modification to the existing "A" (Conservation, Open Space, Park and Recreation) District;
- Block "2" - a change in zoning from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District modified; and,
- Block "3" - a modification to the existing "M-13" (Prestige Industrial) District.

The effect of the By-law is to permit a miniature golf course as a commercial use, in addition to the existing Bowling Centre and parking areas.

9. That approval be given to the Ryckmans Neighbourhood Plan and policies as shown on the attached map marked as APPENDIX "I".

EXPLANATORY NOTE:

Municipal sewer services have recently been extended through this area. Development of the adjacent lands can proceed, following approval of the neighbourhood plan. The proposed Ryckmans Neighbourhood Plan contains a land use plan and policies which incorporate energy efficiency and urban design considerations.

10. A. Official Plan Amendment

That approval be given to Official Plan Amendment No. 39 to redesignate lands located in the area west of Upper Wellington Street between Stone Church Road East and Rymal Road East, from "Open Space" to "Residential", from "Residential" to "Open Space", from "Major Institutional" to "Residential" and from "Major Institutional" to "Open Space" land use designations, as shown on the attached plan marked as APPENDIX "J", and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs.

B. Subdivision Application

a) That approval be given to Application SA-86-06, DiCenzo Construction Company Limited, owner, to establish a draft plan of subdivision on the west side of Upper Wellington Street and on the north side of Rymal Road East, subject to the following conditions:

1. That this approval apply to the plan prepared by A. J. Clarke and Associates Limited dated January 27, 1986 revised to show 431 lots for single-family dwellings, 2 blocks for attached housing, one block for a public school site, one block for park purposes, 5 blocks for future development, 7 blocks for 0.3 m reserves and 2 blocks for road widenings.
2. That the road allowances be dedicated as public highways on the final plan.
3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
4. That the final plan conform with the zoning By-law approved under The Planning Act.
5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

8. That the dead-end of the road allowances created by the Plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
9. That Block 432 to 436 inclusive be developed only in conjunction with adjacent land.
10. That sufficient lands be dedicated to establish the property line of Upper Wellington Street at 15.24 metres (50 feet) from the original centreline of the road allowance and of Rymal Road at 18.29 metres (60 feet) from the centreline of construction.
11. That 12 metre X 12 metre daylight triangles be established from the widened limits of Upper Wellington Street at Street "H".
12. That 12 metre X 12 metre daylight triangles be established from the widened limits of Rymal Road at Street "L".
13. That the future road allowance adjacent to Lots 1 to 9 and Block 434 to be established at its full width prior to or in conjunction with the development of these lands.
14. That the centreline of Street "L" at Rymal Road is to align with the centreline of Springside Drive.
15. That the centreline of Street "H" at Upper Wellington Street is to align with the centreline of the proposed street on the east side of Upper Wellington in the Barnstown Neighbourhood.
16. That at all road allowances, where an 18 metre road intersect with another 18 metre road, the minimum property line radius at the corner angles is to be 6 metres.
17. That at all road allowances, where an 18 metre road intersects a 20 metre road, the minimum property line radius at the corner angle is to be 5 metres.
18. That the minimum radius of all cul-de-sacs is to be 15 metres and the minimum property line radius at the transition points from the streets leading into the cul-de-sacs is to be 9 metres.

19. That lots 1 to 9, 22 to 43, 77 to 81, 428 to 431 and Blocks 432 and 433 cannot receive final approval prior to the installation of the north branch of the Red Hill Trunk Sewer and Lots 211 to 263, 277 to 303 and Blocks 436, 447 and 448 cannot receive final approval prior to the installation of storm and sanitary sewers from the easterly limit of the subdivision at Byng Street.

20. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-06), DiCenzo Construction Company Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

C. Rezoning Application

That approval be given to Zoning Application ZA-86-11, DiCenzo Construction Company Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space Park and Recreation) District, "C" (Urban Protected Residential, etc.) District, "R-4" (Small Lot Single-Family Detached) District, and "RT-20" (Townhouse and Maisonette) District, for property located on the west side of Upper Wellington Street between Stone Church Road East and Rymal Road East, shown as Block "1" to "5" on the attached plan marked as APPENDIX "J", on the following basis:

- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- ii) That the lands shown as Block "2", be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the lands shown as Block "3" and "4" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District;
- iv) That the lands shown as Block "5" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse and Maisonette) District;

- v) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9C and E-9D;
- vi) That the proposed changes in zoning will be in conformity with the Official Plan upon the approval of Official Plan Amendment No. 39; and,
- vii) That the Ryckman's Neighbourhood Plan be amended accordingly to reflect changes established by the draft approved plan of subdivision.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in Zoning for property located on the west side of Upper Wellington Street between Stone Church Road East and Rymal Road East, as shown on the attached Plan marked as Appendix "M", on the following basis:

- Block "1" - change from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- Block "2" - change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- Blocks "3 and 4" - change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- Block "5" - change from "AA" (Agricultural) District to "RT-20" (Townhouse and Maisonette) District.

The effect of the By-law is to permit development of the lands through a draft plan of subdivision for single-family detached dwellings, small lot single-family detached dwellings, townhouse dwellings and open space purposes.

- 11. That in relation to Zoning Application ZA-81-67 and item 2(c) of the 5th Report of the Planning and Development Committee adopted by City Council on March 30, 1982, the City Solicitor be authorized to

proceed to have the City accept the entire parcel at 70-76 Kelly Street and to reconvey the parcel less the required 1.52 m (5 ft.) strip of land along Kelly Street to the applicant.

EXPLANATORY NOTE:

The owner of the property, as Mortgagee in possession, wishes to comply with the conditions of approval of Zoning Application ZA-81-67. In order to convey the required 1.52 m (5 ft.) road widening, it is necessary to convey the entire parcel of land to the City and then to reconvey the parcel less the required widening to the owner due to technical legal problems.

12. That Zoning Application ZA-86-43, Costantino Construction Ltd., owner, requesting a further modification to the "HH" (Restricted Community and Commercial) District, to permit restaurant and tavern uses for the property located on the west side of Mall Road south of Mohawk Road East, be denied for the following reasons:
 1. The proposal is contrary to adopted Council Policy (i.e. O.P.A. 31 and By-law 85-172) which specifically prohibits high traffic generating uses such as restaurants and taverns from locating on, among others, the subject lands.
 2. Approval of the applications would set an undesirable precedent for future similar applications.
13. That the Region be requested to grant one year extensions to the draft approval for Aquila Place Subdivision (Regional File No. 25T-79002) and Templemead No. 3 Subdivision (Regional File No. 25T-77005).
14.
 1. That the City Solicitor be authorized and directed to prepare By-law to remove part lot control from the easterly 12.186 m of Block "H" inclusive on Plan M-200, Randall Estate - Phase 1, and
 2. That the Region be requested to approve the By-law removing part-lot control on the above noted part of block "H".
15.
 - i) That proposed Amendment No. 8 to the Town of Ancaster Official Plan does not undermine the planning intentions of the City of Hamilton; and,

- ii) That the City Clerk be directed to so advise the Ministry of Municipal Affairs.

EXPLANATORY NOTE:

The Ministry of Municipal Affairs has requested the City of Hamilton's comments on the proposed Amendment No. 8 to the Town of Ancaster Official Plan. This amendment proposes a number of schedule (map) and policy changes to accommodate a 33.6 ha (83 acre) cemetery and related uses on lands known as the Lampman Farm located on the north side of Highway No. 53, approximately 200 m (650 ft.) west of the City limits in the Town of Ancaster.

- 16. That approval be given to the request of the Hamilton Beach Steering Committee to amend the land acquisition and demolition program on the Hamilton Beach, as follows:

- i) That pending acceptance by affected parties of a concept plan for the Hamilton Beach, the City of Hamilton request the Hamilton Region Conservation Authority to defer purchase of privately held lands on the Hamilton Beach, and further
- ii) That the City of Hamilton defer issuance of demolition permits for any structures standing on property acquired by the Conservation Authority from the Ministry of Transportation and Communications or any other public agency.

EXPLANATORY NOTE:

The purpose of this request by the Steering Committee is to ensure that the preparation of a concept plan for the Hamilton Beach is not complicated by altering the public vs. private land ownership pattern during the study period.

- 17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the building Department and the Planning and Development Committee:

31 Gerrard Street
732 Upper Paradise
29 East 23rd Street

776 King Street West
948 Upper Paradise

18. That the City of Hamilton, at the request of the Province of Ontario, return the balance of the funds (\$80 663.) remaining in the recyclable account for the Ontario Home Renewal Programme - Rental.

EXPLANATORY NOTE:

For the information of City Council, this Programme has been replaced by the Provincial Government's Low-Rise Rehabilitation Program which is a far superior program for landlords.

19. 1. That, James Street North from Vine Street to the C.N.R. mainline be designated as a Community Improvement Project Area according to the Planning Act, 1983, Section 28, Sub-section 2. as shown on the attached map marked as APPENDIX "K".
2. That, the City Solicitor be directed to prepare the necessary by-law to designate this section of James Street North as a Community Improvement Project Area.
3. That, the Community Development Department be directed to prepare the requisite Community Improvement Plan in accordance with Section 28, Sub-section (4) and (7) in order that Phase V of the Downtown Hamilton Action Plan and the Commercial Facade Loan Programme may be implemented.
20. That the City of Hamilton advise the Minister of Municipal Affairs of its intention to utilize the Provincial allocation to the City of Hamilton of \$450 000. for the Ontario Neighbourhood Improvement Programme (O.N.I.P.), for use in the Corktown-Stinson neighbourhoods on a fifty percent (50%) matching basis, totalling \$900 000.

EXPLANATORY NOTE:

For the information of Committee members, the City's portion of the proposed Corktown/Stinson budget has been included in the 1986-1990 Capital Budget, Number D37004, page 31.

21. That, for the purposes of implementing the Commercial Facade Loan Programme, Addendum #2 to the "Downtown Core Area Redevelopment Plan" attached hereto as APPENDIX "L", be adopted; and,
- i) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council for approval a by-law pursuant to Sub-section (7), Section 22., The Planning Act, to provide for the adoption of ADDENDUM NO. 2; and,

- ii) That pursuant to first and second reading of the by-law referenced above, the Director of Community Development be authorized and directed to submit "ADDENDUM NO. 2" to the Minister of Municipal Affairs for approval.

NOTE: Downtown Hamilton Action Plan : Phase II, Redevelopment Plan was adopted by By-law No. 86-185 which was passed to adopt Addendum #1 to the Downtown Core Area Redevelopment Plan.

22. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7 500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in the Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

- | | |
|--------------------------------------|---|
| 1. I. Freeman
133 Bowman Street | 2. W. Wright
41 Quaker Crescent |
| 3. R. Crook
41 Delena Ave. South | 4. J. Simmons
179 Macauley East |
| 5. C. Rieger
774 Tenth Avenue | 6. I. Kocmarek
541 Ferguson Ave. North |
| 7. H. Stephenson
12 Goggin Avenue | 8. R. Beaulieu
153 McAnulty Boulevard |
| 9. E. Price
48 Mars Avenue | 10. S. Norman
1651/2 Kenilworth S. |
| 11. R. Martin
553 Mohawk Rd. East | 12. M. Chen
42 Kingsmount St. North |
| 13. H. Koffeman
61 Richwill Road | |

Hamilton Rehabilitation Assistance Programme

1. P. Lam
139 Queen Street N.
 2. C. Richer
438 Herkimer Street
23. "That, the Annual Report and audited financial statements for 1985, of the Concession Street Business Improvement Area, attached hereto as Appendix "M", be received by City Council."
24. 1. That approval be given to terminate the sale of vacant land at the north west corner of Fullerton Avenue and Princess to Victoria Park Community Homes, Inc., due to unsuitable soil conditions for residential development.
2. That the City Solicitor be directed to take the necessary action to terminate the transaction and refund the deposit of \$200. to Victoria Park Community Homes Inc.,
3. That Item 12 of the 23rd Report of the Planning and Development Committee approved by Council on November 29, 1983 authorizing the sale, be rescinded.
4. That Item 22 of the 24th Report of the Planning and Development Committee approved by Council on August 27, 1985, amending the original approval, be rescinded.
5. That the Planning Department and Real Estate Department be authorized and directed to give consideration to developing a recommendation for the use of the vacant parcel of land at the north-west corner of Fullerton Avenue.
25. That an Offer to Purchase the lands of the Corporation of the City of Hamilton known as Lot 23, Plan M-227, Hamilton Mountain Industrial Park No.1 duly executed on June 19, 1986 by the Purchaser, Armando and Anna Sbrissa and scheduled for closing on September 25th, 1986 be approved and completed.

Note: The property is composed of a parcel of vacant land located on the northern limit of Hempstead Drive, having a frontage of 219.31' by a depth of 398.76'/399.54' and containing an area of 2.0184 acres. The subject site is more particularly described as Lot 23 on Plan M-227.

The purchase price is \$72 000. A certified deposit cheque in the amount of \$7 200, is being held by the City Treasurer pending Council approval.

This transaction includes special building covenants, agreements and restriction which are set out in APPENDIX "N", attached hereto.

26. 1. That the City of Hamilton grant Ontario Auto Collision Ltd., for the sum of \$480. the sole and exclusive option to purchase Lot 3, Plan M-352 (Hamilton Industrial Park No. 3) on Rymal Road East. The Option shall be open for exercise by Ontario Auto Collision Ltd., until September 8th, 1987 and if exercised the closing date will be the 8th day of November 1987.
2. That the Mayor and City Clerk be authorized to execute an Option to Purchase agreement in a form satisfactory to the City Solicitor.

Note: The property is composed of a parcel of vacant land located on the south side of Rymal Road East, having a frontage of 46 metres (150.9 feet) by a depth of 91,440 metres (300 feet) and containing an area of 4,206 m² (1.0393 acres). The subject site is more particularly described as Lot 3, Plan M-352 (Hamilton Industrial Park No. 3).

The purchase price is \$48 000. A deposit in the amount of \$4 800 shall be payable by Ontario Auto Collision Ltd. on the exercise of the Option. The Option fee is \$480.00 is not refundable if the Option is not exercised; however, if the Option is pursued with, the \$480., shall be credited against the balance of the price payable by Ontario Auto Collision Ltd., on closing.

27. That the interim account of Weir and Foulds, Barristers and Solicitors dated May 26, 1986 in the amount of \$9 900., for fees and \$191.93 for disbursements for a total of \$10 091.93 be paid and charged to account No. 0325-0156 - Consultants Fees. This account covers services from August 27, 1985 when Weir and Foulds were retained to April 8, 1986.

EXPLANATORY NOTE:

By adopting Section 20 of the Twenty-Fifth Report of the Planning and Development Committee at its meeting of September 24, 1985, City Council approved that the firm of Weir and Foulds, Barristers and Solicitors be retained under the direction of the City Solicitor to act for the City in regard to the Supreme Court of Ontario action

commenced against the City by Anthony Butler, Philip R. Book, William E. Carruthers and John J. Shaw carrying on the practise of architecture under the name Anthony Butler/Brook Carruthers Shaw Associates Architects for the Hamilton Central Library and Farmers' Market.

28. That the account of Yates & Yates, Barristers and Solicitors, dated March 6, 1986 in the amount of \$11 366.35 for handling the sale of Block 101 for \$1 344 126.50 to 601210 Ontario Inc., a sewer easement to the Region and the closing of the adjacent Napier Street be paid and charged to Account 0280-02 reserve for property purchases.
29. That the City Solicitor be directed to prepare the necessary by-laws to appoint specified Regional employees to act as plumbing inspectors, with the inspectors to be restricted through administrative directives to piping outside the buildings.

EXPLANATORY NOTE:

The Province of Ontario by the adoption of Regulations 815/84, the Plumbing Code, redefined sewer and water pipes between a building and the private property line. This Regulation came into effect earlier this year.

Under the new regulations, the sewer and water pipes can be either plumbing, which is subject to Regulation 815/84 or they can be facilities subject to the Ontario Water Resources Act. Plumbing is controlled by Regulation 815-84 and must be inspected by plumbing inspectors while the remainder is subject to the Ontario Water Resources Act and is normally controlled by Engineering standards.

30.
 1. The Corporation of the City of Hamilton accept the sum of \$66 100., as cash payment in lieu of 5% dedication in connection with "Gagliano Gardens", Hamilton.
 2. The Corporation of the City of Hamilton accept the sum of \$74 600., as cash payment in lieu of 5% parkland dedication in connection with "Templemead No. 1 Survey - Phase I".
 3. The Corporation of the City of Hamilton accept the sum of \$22 960., as cash payment in lieu of 5% parkland dedication in connection with "Templemead No. 2 Survey - Phase 2".

31. 1. That the City exercise an informal Option to Purchase agreement with the owners of the former Bank of Montreal realty on the south west corner of Main Street West and James Street South, for the sum of \$1 000 000., payable in full on closing.

The closing date shall be 30 days following receipt by the Owners of vacant possession from the tenant in possession, but in any event not before July 31, 1987 nor later than May 15, 1995.

2. That the Finance Committee be requested to determine the means of financing the purchase price of \$1 000 000., out of the current estimates.

NOTE: On December 10, 1985, pursuant to item 27 of the First Report of the Planning and Development Committee, City Council authorized acceptance of a six (6) month option on the subject realty which was due to terminate on June 30, 1986. However, the owners of the subject property agreed to extend the expiry date of the intended option to purchase this property to July 30, 1986. If the option is not exercised by the City, the owners would be entitled to sell to others, or demolish the building as behooves their interests.

At its meeting held July 9, 1986, the Planning and Development Committee discussed the following possible uses for the building:

- (a) Expansion of City Office space
- (b) Provincial Courts
- (c) Museum

A copy of a report from Mr. L. Sage, C.A.O., dated 1986 June 26 dealing with the Option to Purchase which was considered by the Planning and Development Committee on July 9, 1986 has been forwarded to all members of City Council as background information.

32. That leave be granted to introduce the following Bills:

D-94 By-law to Adopt Official Plan Amendment No. 40
Respecting Lands Located on the East Side of Mall Road,
in the Area south of Mohawk Road East.

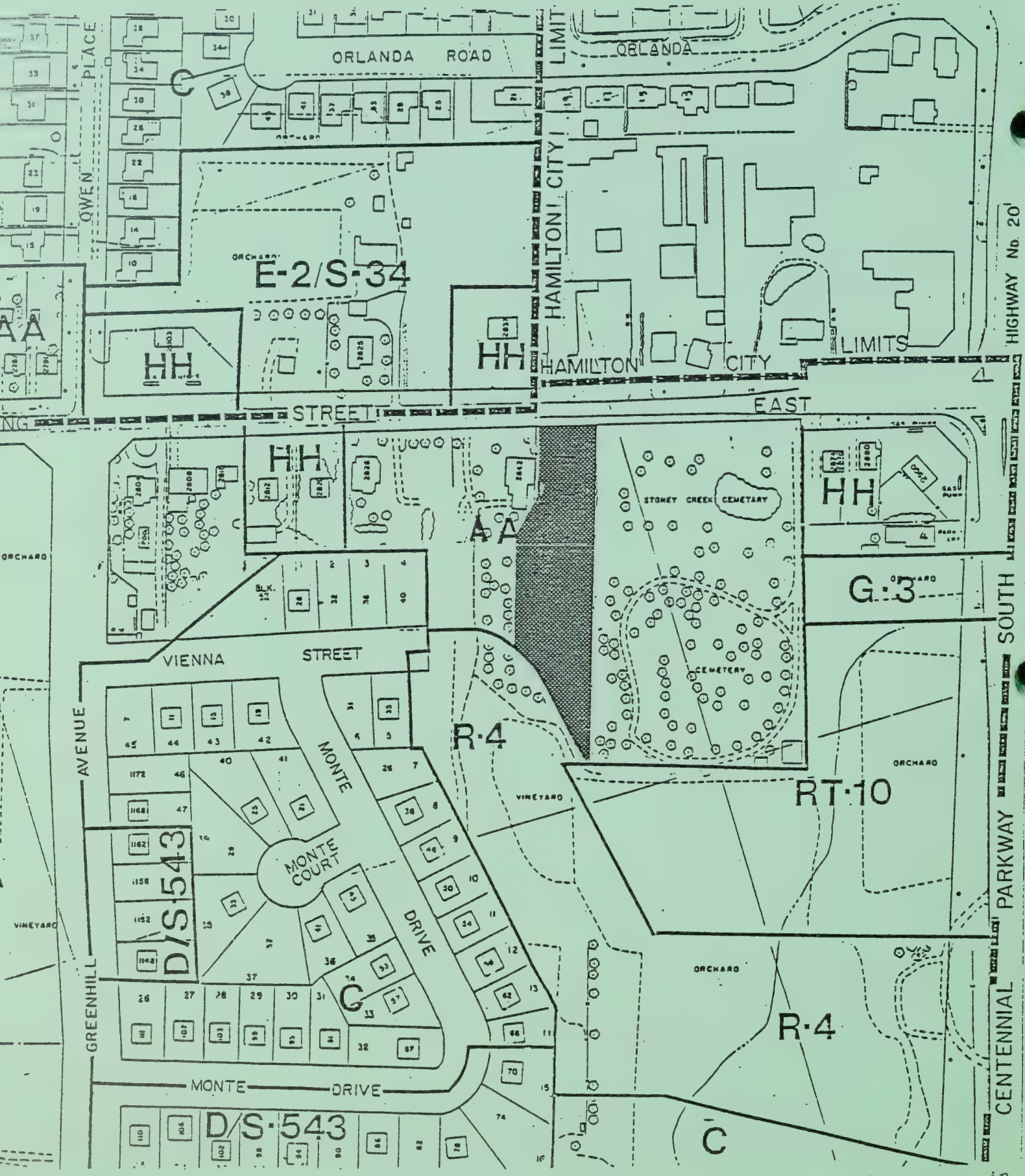
D-95 By-law to Adopt Official Plan Amendment No. 39
Respecting Lands Bounded by Upper James Street, Rymal
Road, Upper Wellington Street and Stone Church Road.

- D-96 By-law to Amend Zoning By-law No. 6593 Respecting Outdoor Patios
- D-97 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the East Side of Mall Road in the Area South of Mohawk Road East.
- D-98 By-law to Amend Zoning By-law No. 6593 Respecting Land Located in the Area West of Upper Sherman Avenue and North of Stone Church Road East
- D-99 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Greenhill Avenue and South of King Street East.
- D-100 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the North-East Corner of Upper Paradise Road and Stone Church Road West.
- D-101 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 432 to 444 Main Street East.
- D-102 By-law to Establish Site Plan Control Respecting Land Located at Municipal Nos. 432 to 444 Main Street West.
- D-103 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-West Corner of King Street East and Greenhill Avenue.
- D-104 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 19 Barton Street East.
- D-105 By-law to Remove Part of "Randall Estates - Phase 1" Registered plan of Subdivision from Part Lot Control.
- D-106 By-law to Establish Site Plan Control Respecting Land Located at the Rear of Municipal No. 19 Barton Street East.

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee



LEGEND

SITE OF THE APPLICATION

Appendix "B" as referred to in Item 2(1) of the Fourteenth Report for 1986 of the Planning & Development Committee

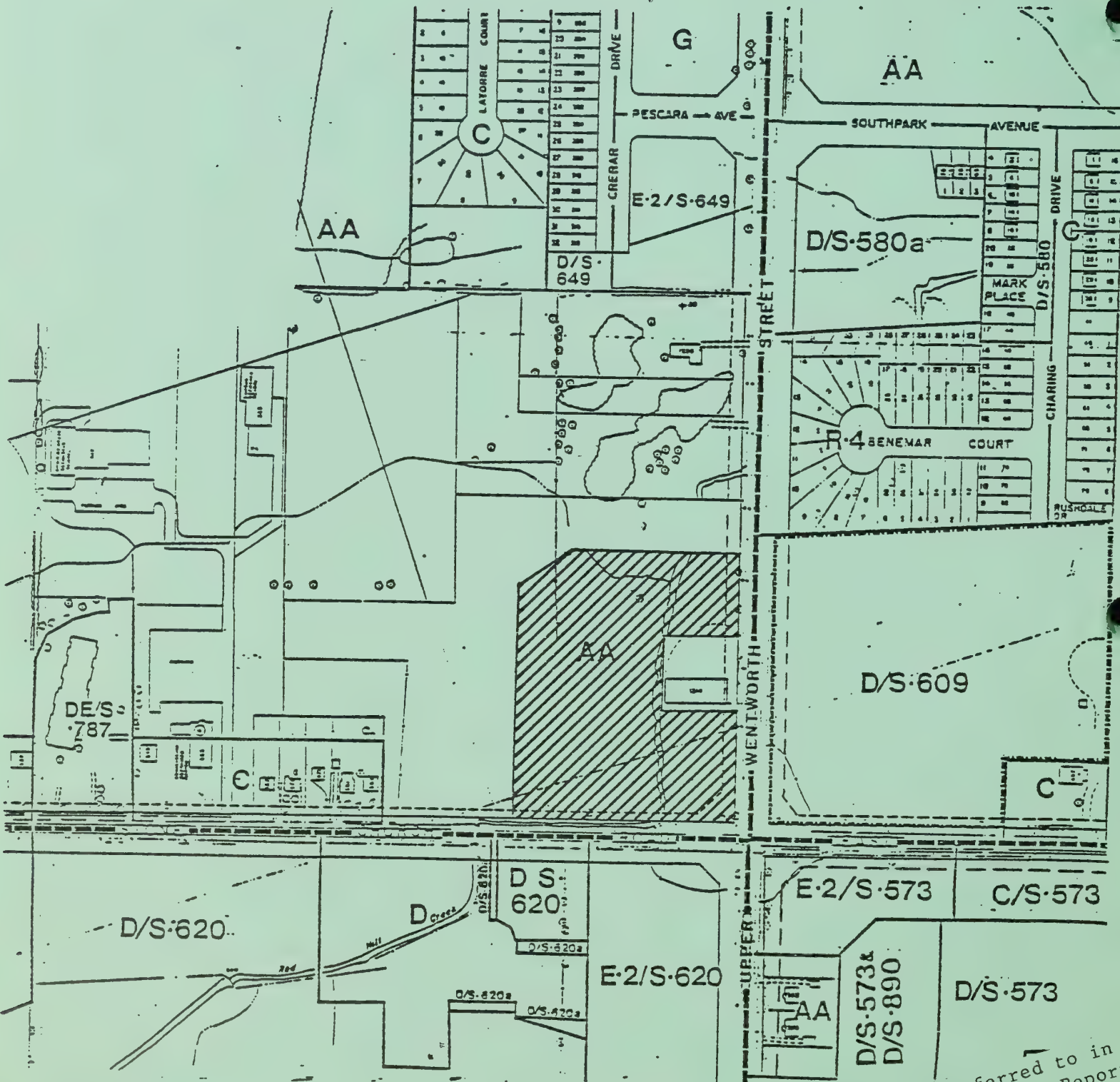


LEGEND



SITE OF THE APPLICATION

Appendix "C" as referred to in
Item 3 of the Fourteenth
Report for 1986 of the Planning
& Development Committee

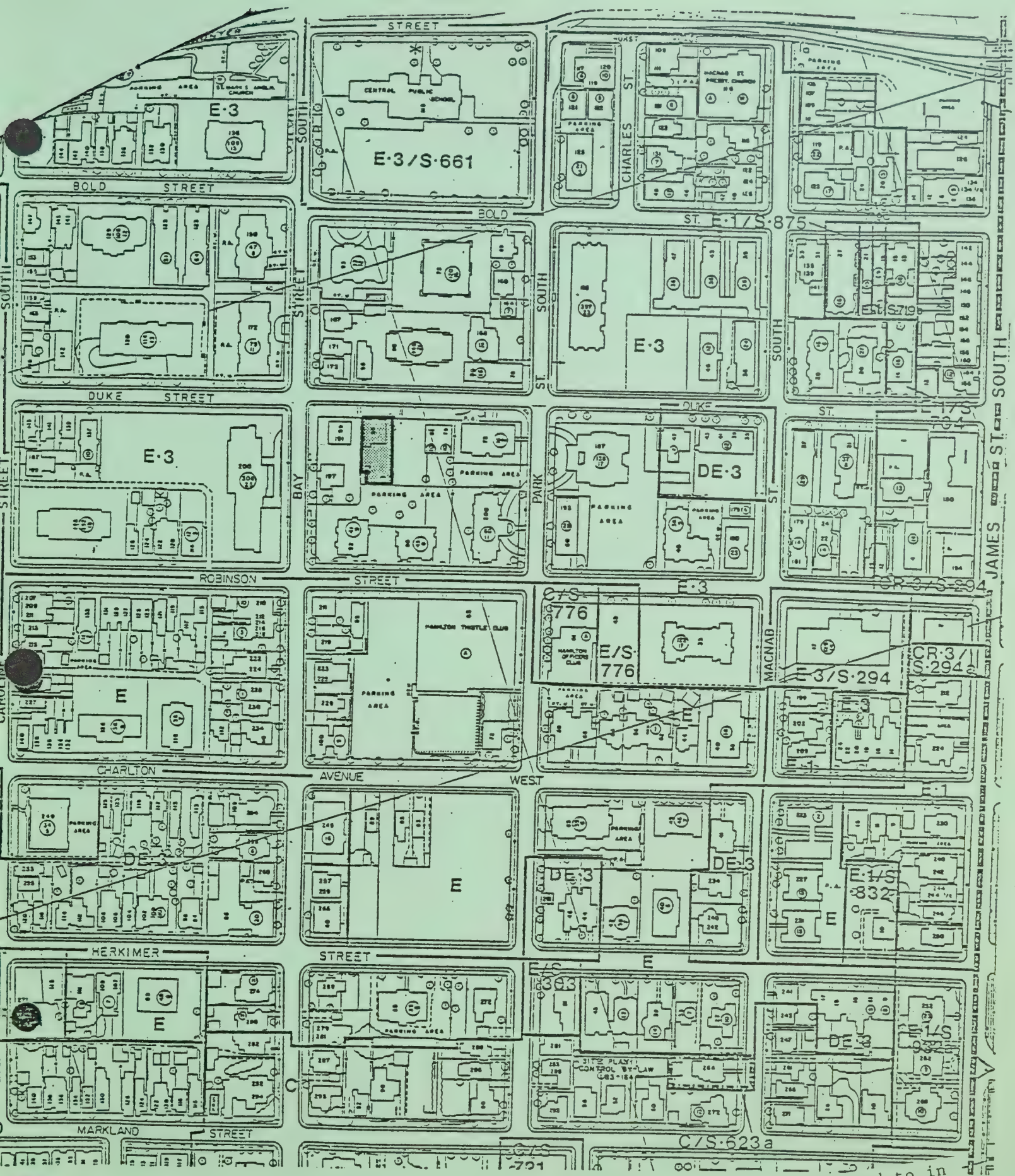


LEGEND

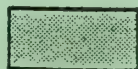


SITE OF THE APPLICATION

Appendix "D" as referred to in
Item 4 of the Fourteenth Report
for 1986 of the Planning &
Development Committee

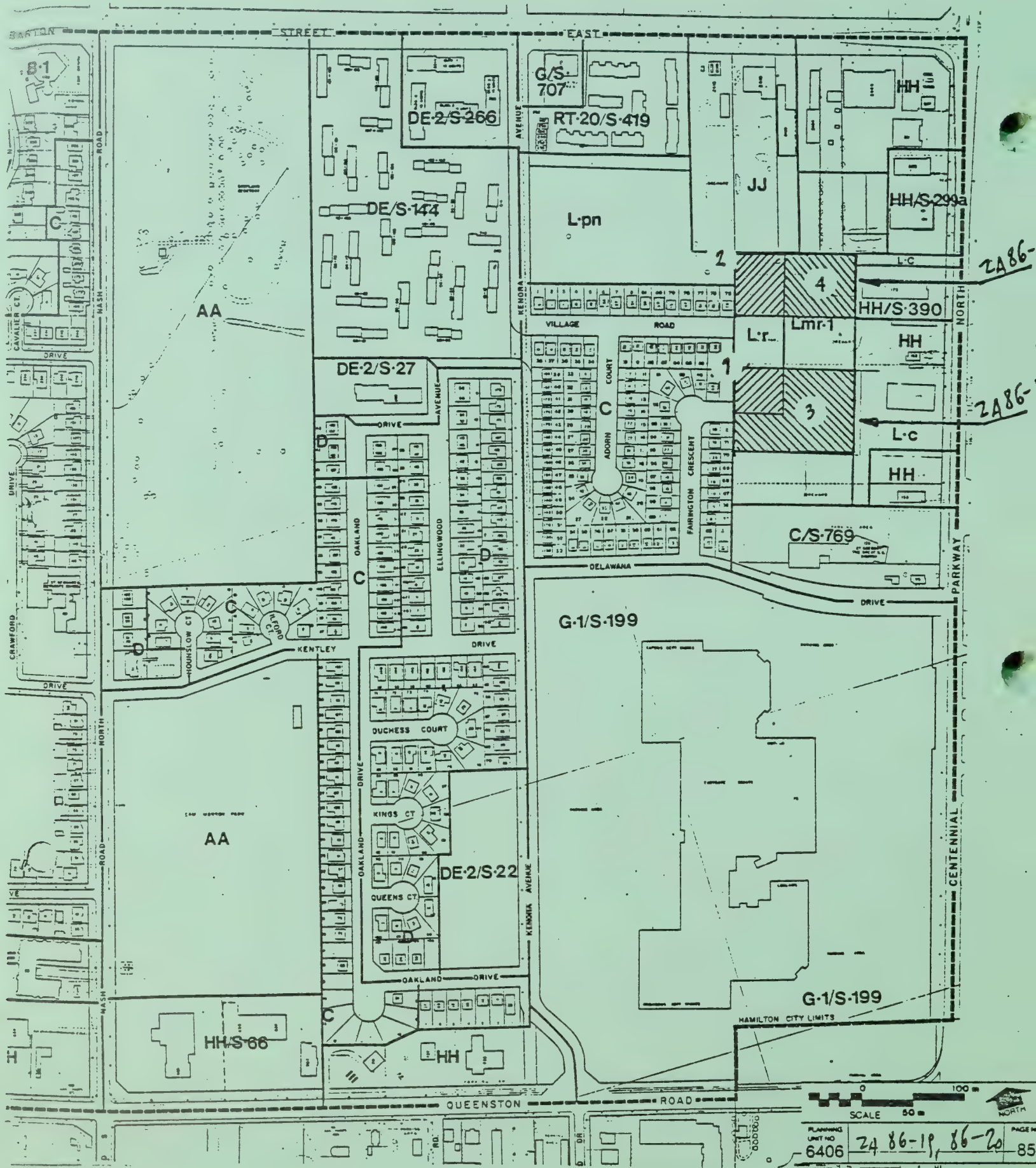


LEGEND



SITE OF THE APPLICATION

Appendix "E" as referred to in
Item 5B of the Fourteenth
Report for 1986 of the Planning
& Development Committee

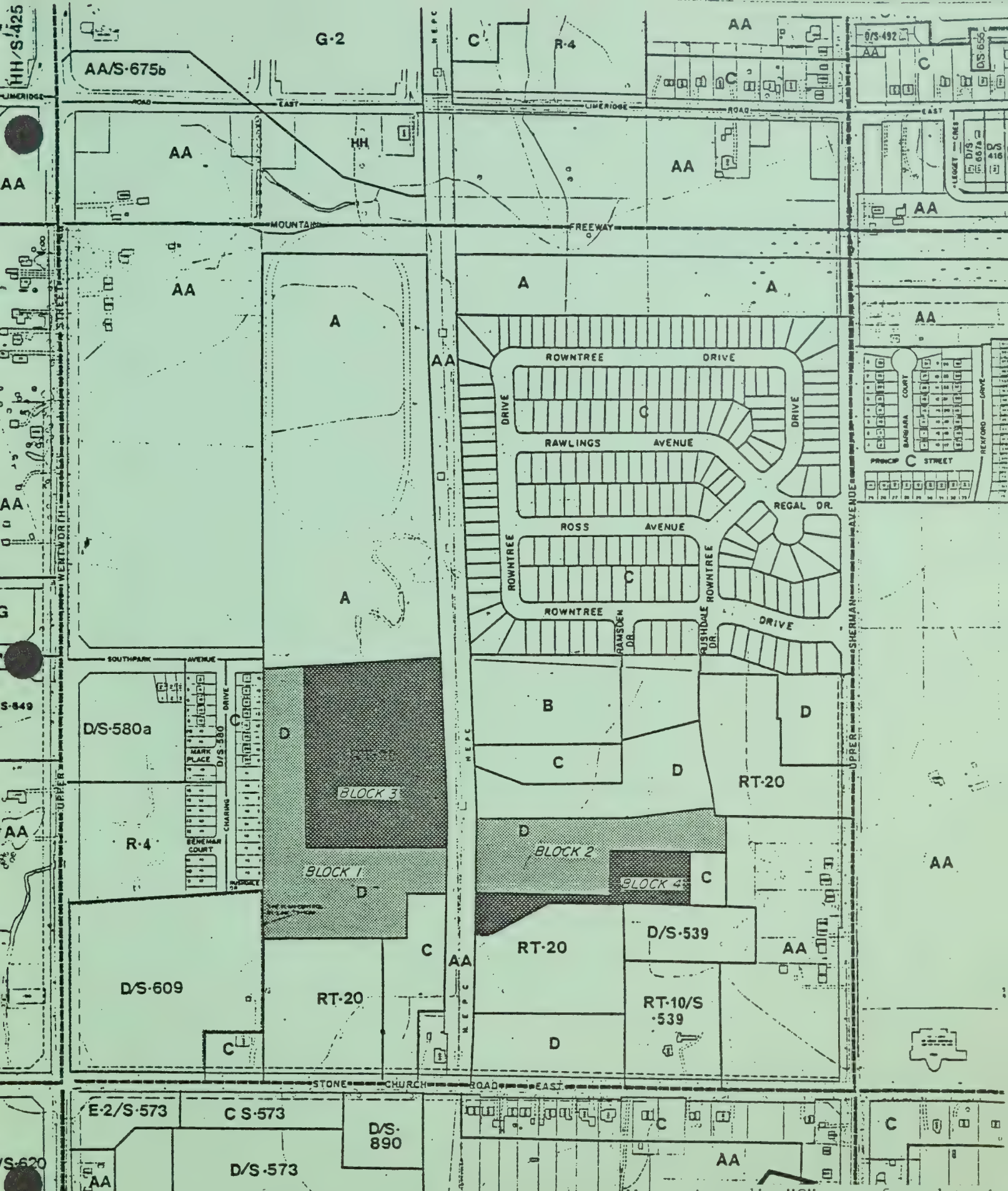


LEGEND.

PROPOSED CHANGE IN ZONING FROM:

- L-T* (PLANNED DEVELOPMENT - LOW DENSITY)
- C* (URBAN PROTECTED RESIDENTIAL, etc.) DIST
- L-mt-1* (PLANNED DEVELOPMENT - MULTIPLE R
- C* (URBAN PROTECTED RESIDENTIAL, etc.)

Appendix "F" as referred to in Item 6B of the Fourteenth Report for 1986 of the Planning & Development Committee



LEGEND

CHANGE IN ZONING FROM:

BLOCK 1 and 2



"D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO)
TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT

BLOCK 3 and 4






RT-20 (TOWNHOUSE-MAISONNETTE) DISTRICT
TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT

Appendix "G" as referred to in
Item 7 of the Fourteenth
Report for 1986 of the Planning
& Development Committee

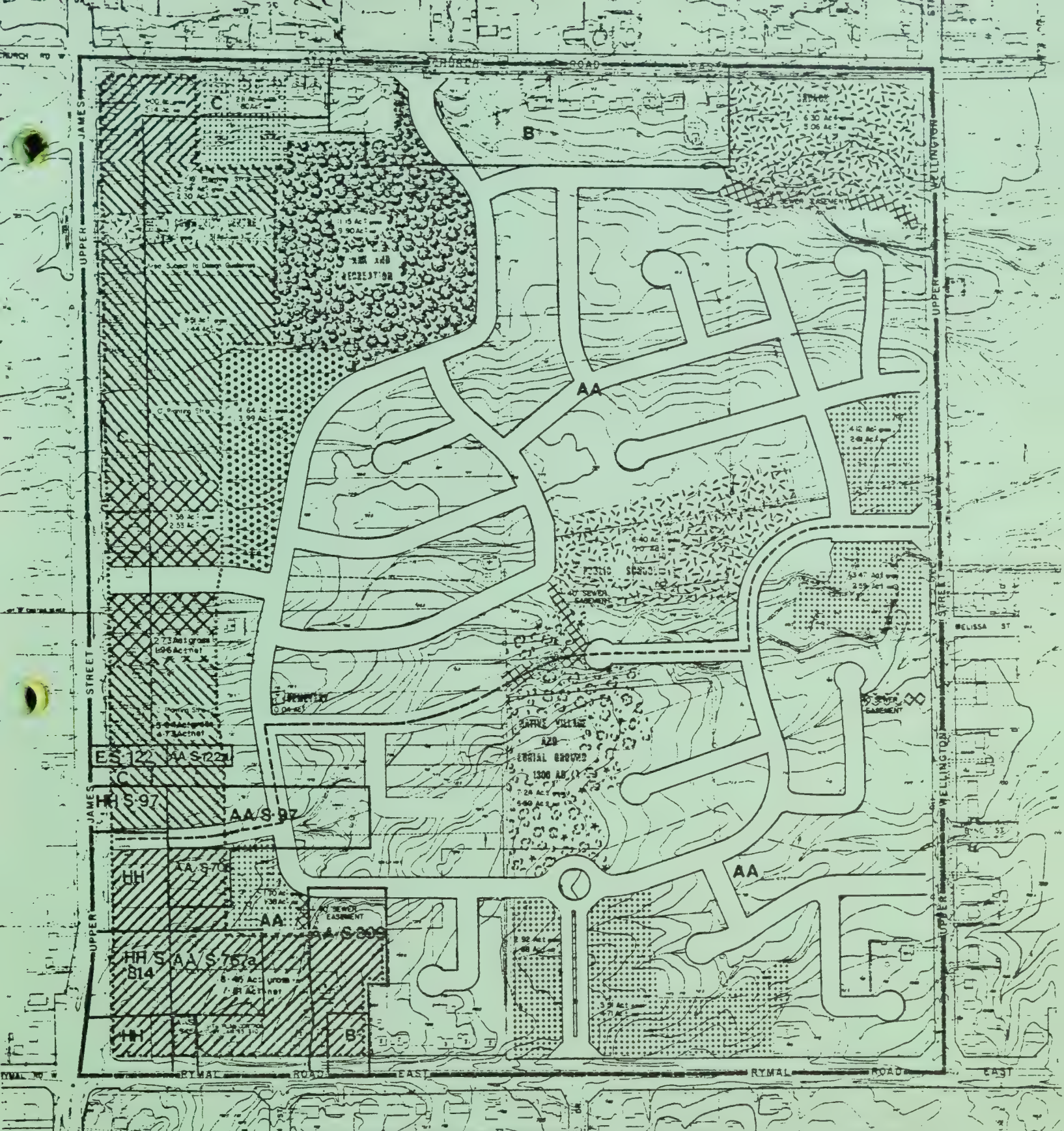


LEGEND

PROPOSED CHANGE IN ZONING:

- | | | |
|----------------|---|---|
| BLOCK 1 |  | MODIFICATION TO THE EXISTING "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT. |
| BLOCK 2 |  | FROM "JJ" (RESTRICTED LIGHT INDUSTRIAL) DISTRICT TO "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT, MODIFIED. |
| BLOCK 3 |  | MODIFICATION TO THE EXISTING "M-13" (PRESTIGE INDUSTRIAL) DISTRICT. |

Appendix "H" as referred to in Item 8 of the Fourteenth Report for 1986 of the Planning & Development Committee



Appendix "I" as referred to in
Item 9 of the Fourteenth Report
for 1986 of the Planning and
Development Committee

EXISTING POPULATION (1982) 157

DESIGN FEATURE
BOULEVARD
HAMILTON EXISTING PARK LANDS SITE
OF EDUCATION FOR THE CITY OF HAMILTON
3 SCHOOL SITE
LANDS DESIGNATED FOR SCHOOL AND/OR
POOLS

--- LIST OF DRAINAGE AREA
--- EXISTING TRUNK SEWER
..... AREA SUBJECT TO URBAN DESIGN POLICY

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.
- commercial & retail
- warehouse

- COMMERCIAL
- NEIGHBOURHOOD COMMERCIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES
- AMBI-RENTAL

--- Neighbourhood Boundary
--- Zoning Boundary

Approvals
Planning Comm. May 1988 Council
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

RYCKMANS
APPROVED PLAN





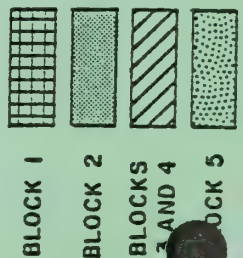
PROPOSED CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

"A" (CONSERVATION, OPEN SPACE AND RECREATION) DISTRICT.

"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

"R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

"RT-20" (TOWNHOUSE - MAISONNETTE) DISTRICT.



Appendix "J" as referred to in Item 10C of the Fourteenth Report for 1986 of the Planning and Development Committee

ZA-86-11

Appendix "K" as referred to in Item 19(1) of the Fourteenth Report for 1986 of the Planning and Development Committee

E

SCHEDULE "A" TO
BY-LAW NO. 86-

ADDENDUM NO. 2
TO
THE DOWNTOWN CORE AREA
REDEVELOPMENT PLAN ENTITLED
"DOWNTOWN HAMILTON ACTION PLAN:
PHASE II, REDEVELOPMENT PLAN,
ADOPTED BY BY-LAW NO. 85-203"

THE CORPORATION OF
THE CITY OF HAMILTON
1986 JUNE 30

Appendix "L" as referred to in
Item 21 of the Fourteenth Report
for 1986 of the Planning and
Development Committee

DOWNTOWN HAMILTON ACTION PLAN

PURPOSE:

TO AMEND THE CORE AREA REDEVELOPMENT PLAN IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL FAÇADE LOAN PROGRAMME.

PREFACE:

THE CITY OF HAMILTON BY BY-LAW NO. 85-203 PASSED THE 8TH DAY OF OCTOBER, ADOPTED A REDEVELOPMENT PLAN FOR THE DOWNTOWN CORE AREA OF THE CITY, WHICH WAS REFERRED TO AS 'PHASE II REDEVELOPMENT PLAN', AND DATED 1985 MAY.

SUBSEQUENTLY, ADDENDUM NO. 1 TO THE ABOVE ADOPTED REDEVELOPMENT PLAN WAS GIVEN THIRD AND FINAL READING 1986, JUNE 24, AND IS COMPRISED OF 'PHASE III: THIRD PRIORITY ACTIONS'.

THE WITHIN PLAN CONSTITUTES ADDENDUM NO. 2 TO THE REDEVELOPMENT PLAN AND IS COMPRISED OF 'THE FAÇADE LOAN PROGRAMME'.

INTRODUCTION

THE DOWNTOWN HAMILTON ACTION PLAN, A RESEARCH AND IMPLEMENTATION DOCUMENT, AIMED AT REVITALIZATION OF HAMILTON'S CORE AREA, WAS SUBMITTED TO CITY COUNCIL IN JANUARY 1983.

TO COMPLIMENT THE IMPLEMENTATION OF ALL PHASES OF THE DOWNTOWN HAMILTON ACTION PLAN, R. DU TOIT AND ASSOCIATES RAISE THE FOLLOWING ISSUES IN CONTEXT OF ENHANCING THE PEDESTRIAN ENVIRONMENT IN THE DOWNTOWN CORE:

'AN IMPORTANT ASPECT OF IMPROVING THE VISUAL APPEARANCE OF DOWNTOWN INVOLVES THE UPGRADING OF EXISTING BUILDING FRONTS, NOT ONLY FROM THE POINT OF THE STREETScape ITSELF, BUT ALSO AS A TOOL FOR MERCHANTS TO IMPROVE THEIR OWN IMAGES. THE KEY HERE WILL BE TO ESTABLISH COST BENEFICIAL TECHNIQUES FOR UPGRADING WHICH WILL IMPROVE THE BUSINESS' IMAGE AND AT THE SAME TIME RESPECT THE ARCHITECTURAL INTEGRITY OF THE BUILDINGS INVOLVED.'

APPENDIX 'A' OF THE PLAN OUTLINES THE IMPORTANCE OF PRIVATE EXTERIOR RENOVATION:

'A MAJOR COMPONENT OF THE REVITALIZATION EFFORT, PRIVATE RENOVATION, COMPLEMENTS THE PUBLIC STREET IMPROVEMENTS PREVIOUSLY DESCRIBED. TOGETHER THESE PUBLIC AND PRIVATE EFFORTS WORK TOWARDS THE GOAL OF ESTABLISHING AN ATTRACTIVE AND ECONOMICALLY HEALTHY SHOPPING AND MULTI-FUNCTIONAL CENTRE FOR DOWNTOWN HAMILTON. IN ADDITION TO INCREASING THE ATTRACTIVENESS OF THE CORE AREA, RENOVATION WILL INCREASE THE UTILIZATION OF EXISTING BUILDINGS; PREVIOUSLY UNUSED SPACE CAN BE TRANSFORMED INTO OFFICES OR APARTMENTS, ADDING TO THE VARIETY, SAFETY AND EXCITEMENT OF THE DOWNTOWN AREA.'

COMMERCIAL FACADE LOAN PROGRAMME

BACKGROUND:

IN A REPORT SUBMITTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT DATED 1986 DECEMBER 10 AND INCLUDED IN ITS CAPITAL BUDGET SUBMISSION, THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED THE ESTABLISHMENT OF A NEW COMMERCIAL FACADE LOAN PROGRAMME. SUBSEQUENTLY, CITY COUNCIL GAVE THE DEPARTMENT OF COMMUNITY DEVELOPMENT AUTHORIZATION TO PROCEED WITH IMPLEMENTATION OF THE COMMERCIAL FACADE LOAN PROGRAMME BY ADOPTING ITEM 10 OF THE 12TH REPORT FOR 1986 OF THE PLANNING AND DEVELOPMENT COMMITTEE, 1986 JUNE 24.

THE COMMERCIAL FAÇADE LOAN PROGRAMME FOR THE DOWNTOWN ACTION PLAN AREA MUST BE IMPLEMENTED UNDER SECTION 22 OF THE PLANNING ACT. THIS SECTION OF THE OLD ACT APPLIES TO REDEVELOPMENT AREAS ALREADY DESIGNATED WHILE ANY NEW AREAS MUST BE DESIGNATED UNDER SECTION 28 OF THE NEW PLANNING ACT 1983 AS COMMUNITY IMPROVEMENT PROJECT AREAS.

THIS PROGRAMME IS DESIGNED TO PROVIDE LOW INTEREST LOANS TO OWNERS OF COMMERCIAL PROPERTIES LOCATED IN BUSINESS IMPROVEMENT AREAS (B.I.A.'S). THE MAXIMUM LOAN AMOUNT IS ESTABLISHED AT \$15,000. PER BUILDING AT AN INTEREST RATE OF ONE-HALF THE RATE THE CITY COULD BORROW THE MONEY. THE LOANS WILL BE AMORTIZED OVER TEN (10) YEARS.

GUIDELINES

- LIMITED TO BUSINESS IMPROVEMENT AREAS (B.I.A.'S).
- ALL LOANS AT AN INTEREST RATE HALF OF THE CITY'S PRIME BORROWING RATE.
- MAXIMUM LOAN AMOUNT \$15,000. FOR FAÇADE AND EXTERIOR RENOVATION.
- MAXIMUM LOAN FOR FAÇADE \$10,000.
- LOAN AMORTIZED OVER TEN YEARS (OPEN).
- THE BUILDING ENVELOPE WOULD BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES WOULD HAVE TO BE CORRECTED BEFORE FAÇADE IMPROVEMENTS (STORE FRONTS, AESTHETICS, SIGNAGE, ETC.) WOULD BE CONSIDERED.
- LOAN SECURED BY LIEN ON TITLE. PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, APPRAISERS, SOLICITORS, ETC.) ELIGIBLE EXPENSE.
- OWNERS ONLY COULD MAKE LOAN. HOWEVER, TENANTS COULD WORK WITH LANDLORDS, BUT LANDLORD MUST TAKE THE FINANCIAL COMMITMENT.
- EQUITY MUST BE SUFFICIENT TO COVER OUTSTANDING PROPERTY COMMITMENTS INCLUDING CITY LIEN.
- REPAYMENT WILL BE ON A MONTHLY BASIS BUT OPEN TO FULL REPAYMENT AT ANY TIME AT NO PENALTY.
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAMME AFTER ORIGINAL CAPITAL BUDGET ALLOCATION.
- MAXIMUM LOAN TO ANY ONE OWNER \$50,000.
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS.
- LOANS TRANSFERABLE TO NEW OWNER PROVIDING NEW OWNER MEETS AND AGREES TO TERMS AND CONDITIONS OF LOAN.
- THE OWNER WILL OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR FAÇADE IMPROVEMENTS WANTED BY OWNER. (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION). A FULL REPORT WILL BE PREPARED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT INCORPORATING OUR RECOMMENDATIONS AND THE BUILDING DEPARTMENT'S. THESE, WITH THE APPLICATION, WILL THEN BE FORWARDED TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL FOR APPROVAL.

- PROPERTY TAXES MUST BE CURRENT.
- IF COST OF FAÇADE IMPROVEMENT EXCEEDS \$1,000., THE OWNER WILL BE REQUESTED TO OBTAIN THE SERVICE OF A DESIGN CONSULTANT TO ENSURE COMPATIBILITY WITH THE SURROUNDING PROPERTIES. ANY COST FOR THIS SERVICE WILL BE ELIGIBLE FOR FUNDING UNDER THE PROGRAMME.
- ONLY COMPLETED WORK WHICH HAS BEEN INSPECTED WILL BE PAID FOR.
- EXTERIOR REHABILITATION WORK WILL, IF AT ALL POSSIBLE, BE DONE FIRST BEFORE FAÇADE IMPROVEMENT.

CONCESSION STREET BUSINESS
IMPROVEMENT AREA

FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 1985

Appendix "M" as referred to in
item 23 of the Fourteenth
Report for 1986 of the Planning
and Development Committee

Spicer MacGillivray
Chartered Accountants



Spicer MacGillivray

Chartered Accountants

M.P.O. BOX 679,
4 HUGHSON STREET SOUTH
HAMILTON, ONTARIO L8N 3M5
TELEPHONE: (416) 523-7732
CABLE: ESSANO HAMILTON

AUDITORS' REPORT

To the Board of Management
of the Concession Street
Business Improvement Area

We have examined the balance sheet of the Concession Street Business Improvement Area as at December 31, 1985 and the statement of revenue and expenditure and members' equity for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as considered necessary in the circumstances.

In our opinion these financial statements present fairly the financial position of the organization as at December 31, 1985 and the results of its operations for the year then ended in accordance with accounting principles prescribed for Ontario Municipalities applied on a basis consistent with that of the preceding year.

Hamilton, Ontario,
April 24, 1986.

Spicer MacGillivray

CHARTERED ACCOUNTANTS.
Municipal Licence No. 1105

CONCESSION STREET BUSINESS IMPROVEMENT AREA
BALANCE SHEET
AS AT DECEMBER 31, 1985

A S S E T S

	1985	1984
CURRENT		
Cash	\$ 0	\$ 2,470
BIA levies receivable	1,978	525
Grant receivable	1,000	0
Prepaid expenses	150	0
	-----	-----
	\$ 3,128	\$ 2,995
	=====	=====

LIABILITIES AND MEMBERS' EQUITY

CURRENT		
Bank overdraft	\$ 881	\$ 0
Accrued liabilities	200	200
Accounts payable - City of Hamilton	1,376	275
	-----	-----
	2,457	475
MEMBERS' EQUITY	671	2,520
	-----	-----
	\$ 3,128	\$ 2,995
	=====	=====

APPROVED ON BEHALF OF THE BOARD
OF MANAGEMENT

Les Amiselle PRESIDENT CBIA
R. Paul VICE PRESIDENT CBIA

CONCESSION STREET BUSINESS IMPROVEMENT AREA
NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 1985

1. BASIS OF ACCOUNTING

Revenue and expenditure are recorded on the accrual basis. The accrual basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

2. FIXED ASSETS

The historical cost and accumulated depreciation for fixed assets are not recorded. Fixed assets are reported as expenditures in the year of acquisition.

3. COMPARATIVE FIGURES

Certain comparative figures for 1984 have been restated to agree with the financial statement presentation adopted for 1985.

CONCESSION STREET BUSINESS IMPROVEMENT AREA
STATEMENT OF REVENUE AND EXPENDITURE AND MEMBERS' EQUITY
FOR THE YEAR ENDED DECEMBER 31, 1985

	1985	1984
	-----	-----
REVENUE		
B.I.A. assessment levy	\$ 12,458	\$ 12,250
Government grants	1,000	2,170
Homecoming	304	2,275
Other revenue	3,490	582
	-----	-----
	17,252	17,277
	-----	-----
EXPENDITURES		
Promotion	4,580	2,912
Christmas decorations	8,970	6,482
Homecoming	3,997	2,092
Newsletter	206	254
Wages	0	1,543
Office supplies	211	401
Audit fees	200	200
Rent	0	100
Insurance	267	225
Bank charges	50	18
Miscellaneous	620	530
	-----	-----
	19,101	14,757
	-----	-----
(DEFICIT) EXCESS OF REVENUE OVER EXPENDITURE FOR THE YEAR	(1,849)	2,520
MEMBERS' EQUITY - Beginning of Year	2,520	0
	-----	-----
MEMBERS' EQUITY - End of Year	\$ 671	\$ 2,520
	=====	=====

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
1. That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet, upon the hereinbefore described land by not later than April 26th, 1987
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
2. That the transferee shall complete construction of the said building by not later than April 26th, 1988
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "N" as referred to in Item 25 of the Fourteenth Report for 1986 of the Planning and Development Committee

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Legislation Committee presents its ELEVENTH Report for 1986 and respectfully recommends:

1. That the City Solicitor be authorized and directed to prepare a by-law to repeal The Retail Gasoline Shops Early Closing By-law 9396.
2. That the following teams from the Hamilton Aquatic Waterpolo Club be presented with civic awards.
 - (a) Hamilton Juniors for winning the Provincial Aquatic Championships in Toronto, Ontario on 1986 April 11 and 12.
 - (b) The Juvenile Team for winning the Provincial Championships in Guelph, Ontario on 1986 April 26.
 - (c) Hamilton Senior "A" for winning the Ontario Senior B Championship.

NOTE: The Juvenile Team is eligible for silver pins and the Senior and Junior Teams are eligible for gold pins.

3. That sterling silver civic rings be awarded to the Transway Juvenile Basketball Team who won the Eastern Canadian Juvenile Basketball Championship in St. John, Newfoundland.

NOTE: There is no Western Canadian division, the Eastern Canadian Championship is the highest level of competition.

4. That permission be granted to the Hamilton Disarmament Coalition to use the following City Hall Facilities for the Hiroshima-Nagasaki Remembrance Vigil to take place 1986 August 6-9:
 - i) Use of City Hall forecourt from 1986 August 6-9.
 - ii) Permission to use the electrical outlets outdoors.
 - iii) Permission to use the washroom facilities.
 - iv) Permission to post signs and a banner on the City Hall balcony from 1986 August 6-9.

5. That permission be granted to the Hamilton & District Labour Council for the following preparations for the Labour Day Parade to take place on Monday, 1986 September 1st:
- i) Twenty-five chairs to be set up for the band's use from 11:00 o'clock p.m., at City Hall.
 - ii) A Parade stand to be set up on the north-east side of Wellington and King Streets.
 - iii) Permission to use the washroom facilities at City Hall between the hours of 11:00 o'clock a.m. to 1:00 o'clock p.m.
 - iv) Permission to fly the Canadian Labour Congress Flag.
 - v) Use of City Hall Council Chambers for the Proclamation of "Union Label Buying Week".
 - vi) Approval for staff time of approximately \$250.00 to be charged to Account No. 0321-0760 (use of City Hall Facilities by Outside Groups).
6. That permission be granted to the Hamilton-Wentworth Lung Association to place a Christmas Seal Banner on the City Hall balcony from 1986 November 3-14th; and to fly the Cross of Lorraine flag for the month of November.
7. That permission be granted to The Canadian Red Cross Society to hang a banner on the City Hall balcony from 1986 July 28 to August 8 to promote their Blood Donor Blitz.
8. That the following resolution by the Windsor City Council be endorsed:

"WHEREAS the modern Black leadership, for example Bishop Tutu, is convinced that the only possible peaceful way to achieve true democracy in South Africa is through the application of economic sanctions;

BE IT RESOLVED that the Federal Government BE REQUESTED to consider applying immediate and full economic sanctions against the Government in South Africa; and further, that a copy of this resolution BE CIRCULATED among other Ontario municipalities with a population of over 50,000 for endorsement."

9. That the following resolution by the Town of Oakville be endorsed:

"That the Mayor be authorized to write to Mr. Kwinter, Minister of Consumer and Commercial Relations, and indicate to him that this municipality strongly opposes any legislation that would confer on municipalities the right to permit or not permit the sale of beer and wine in corner stores, and further, a copy of this resolution be circulated to all municipalities in excess of 50,000 population and it be brought to the attention of A.M.O. at their annual conference in August to seek their support."

10. That the following tax adjustments as recommended by the Tax Appeals Review Committee at its meeting held 1986 July 2 be approved:

Appeal	Amount			
	(1)	(2)	(3)	(4)
Schedule "A"			Tax	
Compassionate	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$ 16,190.00	\$ 3,000.00	\$ 910.00	\$ 3,910.00
Schedule "B"	(1)	(2)	(3)	(4)
Business			Tax	
	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$2,063,504.19	\$1,115,866.35	\$104,239.65	\$1,220,106.00
Schedule "C"	(1)	(2)	(3)	(4)
Realty			Tax	
	Prior		Review	Total
	Year	Year-to-Date	Committee	Year-to-Date
	<u>1985</u>	<u>1986</u>	<u>July 2/86</u>	<u>1986</u>
	\$ 262,474.83	\$ 263,175.87	\$ 32,730.88	\$ 295,906.77

11. That the City of Hamilton support the Warburton family's request to the Attorney General of Nova Scotia for a Judicial Inquiry into the recent search for their son.

NOTE: It is the family's intent that this Judicial Inquiry be conducted to ensure that any future incidents of this nature be handled in the most efficient method possible.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder, Acting Secretary
1986 July 14

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its TENTH Report for 1986 and respectfully recommends:

1. Approval of the following reclassifications in the City Solicitor's Department:
 - (a) Solicitor, Salary Schedule 121, \$48,548 - \$58,926 per annum to Salary Schedule 122, \$51,350 - \$63,466 per annum, effective January 1, 1986.
 - (b) Solicitor I (3 positions), Salary Schedule 119, \$42,180 - \$50,304 per annum to Salary Schedule 120, \$45,462 - \$54,667 per annum, effective January 1, 1986.
2. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to July 7, 1986, as set out on the list attached hereto as Schedule "A".
3.
 - (a) Approval of the land acquisition project for a fire station at Stone Church Road and Upper Wellington, as provided for in the 1986 portion of the 1986-1990 Capital Budget, Number 36526, at an estimated gross cost of \$160,000.00.
 - (b) That the Executive Committee recommend to City Council the amount and source of funds to be provided for this capital project.
 - (c) That the Director of Real Estate be authorized and directed to negotiate the purchase of approximately one acre of land near either the south-west or south-east corner of Stone Church Road and Upper Wellington, and that the offer be subject to the approval of the funding of this acquisition.

4. Approval of the awarding of the following contract:-

LANGLEY PARISIAN LTD., Hamilton, Ontario.

- (a) For dry cleaning services for the Fire Department, in accordance with specifications and Vendor's Tender at the following unit prices:

	<u>1986</u>	<u>1987</u>	<u>1988</u>
Uniform Trousers	\$1.05	\$1.10	\$1.15
Uniform Tunics	1.05	1.10	1.15
Raincoats	2.45	2.55	2.65
Nylon Parkas	2.45	2.55	2.65
Uniform Shirts	.51	.53	.55
Uniform Skirts	1.05	1.10	1.15
Uniform Slacks	1.05	1.10	1.15

Contract to end December 31, 1988.

Note: Lower of two (2) tenders received. Funds provided in Accounts 0341-0125/0425.

This contract to be awarded subject to the review and approval of the City Solicitor.

- (b) With the adoption of the foregoing, it is recommended that Section 3 of the Fourth Report of the Personnel Committee which was adopted by City Council at its meeting held March 25, 1986, awarding this contract to Cleantex Inc., be rescinded, as this contract was not executed by the company.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1986 July 16.

This is Schedule "A" referred to in Section 2 of the
Tenth Report of the Personnel Committee.

SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Colin Barty	Equipment Repairman	Culture & Recreation	additional staff (budget approval)	D-11	\$11.586 per hour	86/06/16
Mr. Luigi Cialini	Gardener II	Parks Division of Public Works	replacing Robert Duckworth - promoted	D-7	\$11.287 per hour	86/06/09
Mr. Douglas Clark	Senior Building Inspector	Building	replacing Raymond Newman - retired	A-16	\$662.24 per week	86/06/16
Mr. Anthony Christison	Street Sweeper Operator	Public Works	replacing Lawrence Torresin - promoted	D-9	\$11.402 per hour	86/06/08
Mr. John Cowles	Lead Hand (Trees)	Parks Division of Public Works	replacing Leonard Lockwood - transferred	D-11	\$11.586 per hour	86/06/02
Mrs. Nancy Daines	Microfilm Technician II	Building	new position (grievance settlement)	E-1	\$296.86 per week	86/06/02
Mr. Jose De Moraes	Concrete Finisher (Districts)	Public Works	replacing Domenico Chiota - retired	D-8	\$11.144 per hour (prob. rate)	86/06/09
Mr. Daniel Dube	Community Renewal Officer	Community Dev.	replacing Jayne Tollefsen - promoted	A-9	\$522.85 per week	86/06/16

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Zeltite Race	Typist Cashier II	Building	additional staff (budget approval)	A-3	\$377.25 per week	86/06/02
Mr. Romas Rimkus	Labourer	Public Works	transferred as per employee's request	D-5	\$11.161 per hour	86/06/02
Mr. Scott Weaver	Gardener I	Parks Division of Public Works	replacing Giuseppe Giordano - retired	D-9	\$11.402 per hour	86/06/09
Mr. Russell Webb	Sports Groundsman	Parks Division of Public Works	replacing Robert Mountain - deceased	D-9	\$11.402 per hour	86/06/02
Ms. Lillian Wilson	Asst. Supervisor - Payroll Control	Treasury	replacing Barbara Bazinet - promoted	112	\$26,679.64 per annum	86/06/02

Prepared 1986 July 07

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Bailey	Foreman III (Districts)	Public Works	retired	29 years & 2 months	86/06/30
Mr. Kenneth Braid	Lieutenant	Fire	retired	38 years & 4 months	86/06/30
Mrs. Karol Coulson	Secretary B	Treasury	resigned	17 years	86/06/11
Mrs. Lynn Dale	Legislative Assistant	City Clerk's	resigned	4 years & 5 months	86/06/27
Mr. Jose De Morales	Cement Finisher (Districts)	Public Works	resigned	2 weeks	86/06/18
Mr. Raymond Newman	Senior Building Inspector	Building	retired	31 years	86/06/27

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Martin Rivest	Student At Law (temporary)	City Solicitor's	terminated	6 months	86/07/04
Mr. Daniel Spicer	Journeyman Carpenter (temporary)	Prop. Mtce. Div. of Real Estate	terminated	3 months	86/06/27

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SEVENTEENTH Report for 1986 and respectfully recommends:

1. (a) That City Council form a Computer Advisory Committee comprised of three elected representatives, three members of staff plus three leading industrialists. This Committee will draw up a master plan and generally oversee the use of computers at City Hall.
- (b) That the City Clerk contact other leading municipalities in Ontario and ask them to form a similar committee. These committees would be asked to meet semi-annually to pool ideas.
- (c) That the City Clerk request the appropriate Provincial Government Ministries to subsidize all aspects of computer spending (hardware, software, programs and maintenance).
- (d) To attain a goal of centralizing appropriate data in one computer as quickly as possible.

NOTE: Previously distributed to the members of City Council were copies of a report dated July 19, 1986 from Alderman P. O. Valeriano, Chairman, Finance Committee which provided background information relative to this recommendation. Additional copies, if required are available from the Secretary, Finance Committee.

2. That a purchase order be issued to J. P. Hammill & Son Ltd., Guelph for the supply and delivery of 1 120 pairs of Workmen's Uniform trousers and 370 pairs of Workmen's Uniform overall pants, for a total cost of \$20 387.25 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of three tenders received. Funds provided in account #0395-1023.

3. That a purchase order be issued to Ashbourne Eden Enterprises, Toronto, for the supply and delivery of 280 Workmen's Uniform short sleeve shirts, 560 Workmen's Uniform Long Sleeve shirts and 200 Workmen's crested coveralls, for a total cost of \$13 188.82 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of seven tenders received. Funds provided in account #0395-1023.

4. That a purchase order be issued to Western Plumbing and Heating, Hamilton for the removal of existing and re-installation of replacement filter media at Ryerson Recreation Centre for a total of \$10 778 including all applicable taxes, in accordance with specifications issued by the Director of Purchasing and Vendor's quotation.

NOTE: Lowest of two (2) quotations received. Funds provided in account # 0328-9823.

5. That a purchase order be issued to Remdex Office Products, Mississauga in the amount of \$29 328.70 for the supply, delivery and installation at the Building Department, City Hall, of two (2) White Power Files Model 66114B Series 6600, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in account #0280-31.

6. That a purchase order be issued to Barton Auto Parts Ltd., Hamilton for the supply and delivery of brake products for trucks one (1) ton and under as and when required by various departments, to December 31, 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

(i)	Abex	Jobber less 15%
(ii)	Pamaco	Jobber less 20%
(iii)	Aimco	Jobber less 12%
(iv)	National	Jobber less 12%
(v)	Wagner	Jobber less 12%
(vi)	B.C.A.	Jobber less 12%

NOTE: Lowest of eight tenders received. Funds provided in various accounts.

7. (a) That the Corporate Purchasing Policy for the Corporation of the City of Hamilton, its Boards, Commissions, Authorities and other organizations funded wholly or in part by the Corporation, appended hereto, as Schedule "A" be approved.
- (b) That all previously approved purchasing policies for the Corporation of the City of Hamilton be rescinded.
- (c) That the Council of the Corporation of the Regional Municipality of Hamilton-Wentworth be requested to adopt a corporate purchasing policy consistent with this policy.

NOTE: This will necessitate the Region amending its policy to provide for the following:

- (i) Change the Canadian Content Preference from 10% to 15%.
- (ii) Reduce the spending limits and authorizations for staff from \$25 000 to \$10 000.
- (iii) Implement a South African Policy that states the Region of Hamilton-Wentworth and its agencies, Boards and Commissions will not purchase raw materials, partially finished or finished goods, food or beverages of South African origin.

8. That the following resolution, which was approved by The Hamilton Municipal Retirement Fund (HMRP) Committee on Wednesday, June 25, 1986 be approved:

- (a) That the Hamilton Municipal Retirement Fund (HMRP) Committee be disbanded.
- (b) That the City of Hamilton Finance Committee assume all the responsibilities of the HMRP Committee, as outlined in the HMRP By-law 7970, and that the City Solicitor be instructed to amend By-law 7970 accordingly.

NOTE: This by-law will require Ministry of Municipal Affairs approval after the second reading by City Council with the third reading presented to City Council after Ministry approval has been received.

- (c) That an HMRP Sub-Committee of the Finance Committee be created to be comprised of the Chairman and Vice-Chairman of the Finance Committee, Chairman and Vice-Chairman of the Personnel Committee and to include two staff members, one representing the firefighters and the second person representing the department heads and deferred pensioners and the Secretary of the committee be the Supervisor of Pensions and Group Insurance from the Treasury Department.

NOTE: The purpose of this sub-committee will be to actively administer the Fund and to bring forward appropriate resolutions for consideration by the Finance Committee.

- (d) That the Finance Committee consider a procedure to have a representative of the HMRP pensioners appointed to the sub-committee.

9. That the settlement amount of \$1 834 529.46 received from the Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) June 30, 1986 be credited to the "Victor K. Copps Arena/Trade Centre", to be applied to the unfinanced portion of the capital cost and that the remaining debenturing requirement as shown in the 1986-1990 Capital Budget for this project at \$3 470 000 be reduced by \$1 834 500 to \$1 635 500.
10. (a) That an agreement in a form satisfactory to the City Solicitor be entered into with Data Security Services, Toronto, Ontario for the supply of off-site Security Storage services for the period from 1986 August 1 through 1988 November 30th, inclusive, renewable annually at a cost of \$3 400.
11. (a) That the Consulting Firm of Thorne, Stevenson & Kellogg be retained for the joint Information Systems Strategy Study for the Corporation of the City of Hamilton, the Regional Municipality of Hamilton-Wentworth, and the Hamilton Public Library Board, on the understanding that the consultants will commence this assignment approximately August 1, 1986 to be completed by the end of October 1986, for a maximum fee of \$80 000 (including expenses).
- (b) That the City of Hamilton's share of this fee (\$36 800) be financed from account number 0323-1456 (Consultant's Fees).
- (c) That approval of this recommendation be subject to approval by the Region of Hamilton-Wentworth Council and the Hamilton Public Library Board.
12. (a) That the Central Processing Unit, Disk drives and peripheral devices be leased from the Supplier(s) indicated in the following table for the leasing period and for the amounts indicated.

	<u>Item</u>	<u>Supplier</u>	<u>Mo. Lease</u>	<u>Term</u>	<u>Start</u>
(i)	4381-P12 Central Processor	*Scott	\$16 414	43 mos.	Oct 1'86
(ii)	Q13 Upgrade	*Scott	\$ 6 795	36 mos.	May 1'87
(iii)	3205 Console	*Scott	\$ 116	43 mos.	Oct 1'86
(iv)	2X 3179 Terminals	#Canada Lease	\$ 94	43 mos.	Oct 1'86

(v)	3380 AE4 Disk Drive	*Scott	\$ 4 146	43 mos.	Oct. 1'86
(vi)	3380 AE4 Disk Drive	*Scott	\$ 4 706	40 mos.	Jan. 1'87
(vii)	2X 3380 BE4 Disk Drives	*Scott	\$ 6 634	43 mos.	Oct. 1'86
(viii)	3380 BE4 Disk Drive	*Scott	\$ 3 317	40 mos.	Jan. 1'87
(ix)	3380 BE4 Disk Drive	*Scott	\$ 3 396	36 mos.	May 1'87
(x)	3880-003 Controller	+Lease Tech	\$ 1 520	43 mos.	Oct. 1'86
(xi)	3725 Channel Adapt.	*Scott	\$ 268	43 mos.	Oct. 1'86
(xii)	2X 3174-01L Communications Controllers	*Scott	\$ 1 239	43 mos.	Oct. 1'86
(xiii)	3880 01/03 Upgrade	*Scott	\$ 102	40 mos.	Jan. 1'86

* Scott Computer Leasing Inc. (Mississauga, Ontario)
 # Canada Lease (Mississauga, Ontario)
 + Lease Tech (Toronto, Ontario)

- (b) That a lease agreement in a form satisfactory to the City Solicitor be entered into between the Corporation of the City of Hamilton and the above noted firms.
- (c) That these agreements shall terminate on November 30, 1988 with an option in favour of the City to renew the contracts for the additional months beyond November 30, 1988, at the rates specified in their proposal forms.

NOTE: Funds for 1986 rental have been provided in account #0323-1584 (Rental Computer Equipment).

The Finance Committee further wishes to advise that the funding of \$1 500 000 (project #36294) for the purchase of a Central Processing System included in the 1986/1990 Capital Budget will not be required.

13. That the claim of John Hobbins against Strand Tavern (Hamilton) Ltd. and the Corporation of the City of Hamilton, be settled in the amount of \$2 500 inclusive of interest and costs with the insurers for the Strand Tavern paying \$2 000 and the City paying \$500.

NOTE: By County Court writ issued March 23, 1984, John Hobbins commenced action against the City and Strand Tavern for damages resulting from a broken shoulder he suffered when he fell on the City sidewalk while entering the Strand Tavern at 264 Dundurn Street South on March 5, 1984. He alleged that his fall was due to ice and snow on the sidewalk and claimed \$25 000 plus interest and costs. A pre-trial was held on June 25, 1986 before Judge Stayshyn who indicated that the matter should be settled in the amount of \$2 500 inclusive of interest and costs with the insurers for the Strand Tavern paying \$2 000 and the City paying \$500.

14. That the claim of Joan Lee against the City be settled in the amount of \$3,185 inclusive of interest and costs.

NOTE: Mrs. Lee commenced action against the City by Writ of Summons dated September 14, 1984 for damages she suffered in a fall on July 10, 1984 on the municipal sidewalk in front of 19 San Fernando Drive. She suffered injury to her right foot and claimed damages of \$30 000 plus interest and costs.

15. That the claim of Ferdinando Ricciardone and the claims of the City related to Ferdinando Ricciardone against Crayford Enterprise Ltd. et al be settled in the amount of \$132 000 inclusive of interest and costs.

NOTE: On August 18, 1981, Mr. Ricciardone, a City employee, was struck from behind by a back-hoe owned by Crayford Enterprise Ltd. and operated by Peter Guindon. Mr. Ricciardone suffered serious injuries to his spine and right leg and about two weeks later suffered a heart attack. Mr. Ricciardone is presently 64 years of age and has been unable to return to work since the accident.

After deduction of the City's expenses there will remain a surplus of \$35 000. In accordance with the provisions of Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and Application by Mr. Ricciardone, it is recommended that payment of the surplus be made to Mr. Ricciardone. Said surplus remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which Mr. Ricciardone may become entitled to from the Workers' Compensation Board with respect to this accident. The City's expenses include approximately \$50,000 for reimbursement of wages paid by the Workers' Compensation Board, \$2,000 for reimbursement of medical expenses paid by the Workers' Compensation Board, \$30,000 for reimbursement of a disability award to Mr. Ricciardone by the Workers' Compensation Board and \$15 000 for other expenses, costs and interest.

16. (a) That the City Solicitor be directed to take the necessary action to secure payment of the 1985 rent of \$600 plus the 1985 taxes of \$1,622.71 from T.M. Spratt Limited for lands located on the north west corner of York Boulevard and James Street North leased from the City.
- (b) That the lease with T.M. Spratt Limited be officially terminated.
- (c) That the Public Works Department be directed to erect concrete barriers along the perimeter of the City's property on the north west corner of York Boulevard and James Street North to prevent unlawful parking on City land, and to undertake a general clean up of the area.
- (d) That the estimated cost of \$400 to undertake this work be charged to the Unclassified Account 0378-2700.
17. That leave be granted to introduce the following bills:
- (a) G-24 By-law to Amend Procedural By-law 82-203 Respecting the Duties of the Finance Committee.
- (b) G-25 By-law to Amend H.M.R.F. By-law 7970 Respecting Administration.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

J.J. Schatz,
Acting Secretary
1986 July 15

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee		Policy #
Subject: CO-ORDINATED PURCHASING PROGRAM	Adopted by Council-	Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City to operate a co-ordinated program where all Agencies must be required to use the services of the Purchasing Department of the City when:

- a) purchasing items that are common to the Body and The Corporation, and
- b) to consult with the Purchasing Department of the City when purchasing items not common to that Body and the City.

Construction tenders and demolition contracts shall include with other requirements those stated on Appendix pages 91, 92.

NOTE: Authorized exceptions to this policy are to be found on page 6, Policy 6 of this manual.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Centralized Purchasing Program

Procedures: Attached _____ Not Required X
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: SPENDING LIMITS AND AUTHORIZATIONS		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of City Council to set the spending limits for all purchases based on total acquisition costs, excluding trade-ins, made for City Departments and authorize the signing authorities required for such spending limits.

- All Field Purchase Orders up to and including \$100 (all taxes included) shall require the approval of the Department Head or designate.
- All individual expenditures from \$101 up to and including \$5,000 shall require the approval of the Purchasing Department upon receipt of the purchase requisition authorized by the Department Head or designate.
- All individual expenditures from \$5,001 up to and including \$10,000 shall require the approval of the Chief Administrative Officer and the Department Head concerned.
- All individual expenditures exceeding \$10,000 shall require City Council approval.

Only the Purchasing Director or his designate shall have the authority to sign a purchase order.

NOTE: Exceptions to this policy will be found in Corporate Policy #4.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Spending Limits and Authorizations

Procedures: Attached Pages 76 & 77 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: EXCEPTIONS TO CORPORATE POLICY #3		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The City recognizes that emergency situations occur and to ensure continuous operation of an essential service, authorizes the following exceptions to Corporate Purchasing Policy #3.

In the case of an emergency:

- Individual expenditures up to and including \$5,000 shall be placed on approval of the Department Head or designate and on verbal approval of the Purchasing Department.
- Individual expenditures from \$5,001 up to and including \$10,000 shall be placed on approval of the Department Head and on verbal approval of the Chief Administrative Officer.
- All approvals received verbally must be confirmed in writing upon submission of the purchase requisition and the reason(s) for the emergency.
- Individual expenditures exceeding \$10,000 for any single expenditure shall be placed upon written approval of two of the following three persons:
 - a) Mayor
 - b) Spending Committee Chairman or Vice-Chairman
 - c) Chief Administrative Officer

Department Head to place an item on the next meeting of the Spending Committee explaining the action taken with reasons, costs, etc.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Exceptions to Corporate Policy #3

Procedures: Attached Pages 78 & 79 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee		Policy #
	Adopted by Council-	Date
Subject: PURCHASING POLICY AND GUIDELINE APPROVALS		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

City Council shall approve all Corporate Purchasing Policies.

The Chief Administrative Officer shall have the authority to approve all Administrative Purchasing Guidelines.

The Director of Purchasing shall have the authority to develop procedures to implement all approved purchasing policies and purchasing guidelines.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Policy and Guideline Approvals

Procedures: Attached _____ Page 35 Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee		Policy #
	Adopted by Council-	Date
Subject: EXCEPTIONS TO POLICY #5		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The following are authorized exceptions to the City Purchasing Policy #2.

Exception #1: For supplies and services of common usage e.g. vehicles, stock items, stock equipment and supplies and services when the tender or quotation is called by an agency included in, or on behalf of, the Co-operative Purchasing Group.

Exception #2: The regular contractual process and the necessary approvals as outlined in Corporate Policy #3 for obtaining goods and/or services, shall not apply if obtained from - the Federal Government or its agencies, Provincial Government or its agencies, Local Boards and/or agencies, Crown Corporations, the Region, Area Municipalities and Special Purpose Bodies within the Region and City, including the public utility companies and the natural gas supplies.

Exception #3: Additional exceptions will be found on pages 83 & 84 of this manual.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Exceptions to Corporate Policy #5

Procedures: Attached _____ Not Required _____ X
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Policy Committee	Adopted by Council-	Policy #
Subject: CO-OPERATIVE PURCHASING		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

The City and Agencies recognize that co-operative purchasing is beneficial, therefore, the Co-ordinator of Regional Purchasing is authorized to chair a Co-operative Purchasing Committee.

Definition of Co-operative Purchasing Agreement

Co-operative or collective purchasing is the joining together of two or more separate organizations for the purpose of preparing specifications and proposals, collectively receiving bids, and making an award to the vendor submitting the lowest acceptable Total Acquisition Cost.

Thereafter, each agency issues its own contract and is responsible for administering the remainder of the procurement function, namely, expediting, receiving, inspecting, storing and verifying invoices; and each agency is responsible for its own payments.

See Page 90 of this manual for Co-operative Purchasing Group membership.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Co-operative Purchasing

Procedures: Attached Page 90 Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: ENCOURAGE COMPETITIVE BIDDING		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City and Agencies

- to encourage open competitive bidding on all acquisition of goods and services where practical, and
- to procure by purchase, rental or lease, the required quantity and quality of goods and services in a cost-efficient and effective manner.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Competitive Bidding

Procedures: Attached _____ Not Required _____ X
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:

Passed by Committee -

Supersedes:Prepared by: Purchasing Manual
Committee

Adopted by Council-

Policy #

Date

Subject: DISPOSAL OF SURPLUS GOODS

Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Only the Purchasing Department shall dispose of declared surplus property in the most cost efficient and effective manner after approval has been received from the Chief Administrative Officer, provided that any useable equipment or material has been offered first to other user Civic departments and Agencies, secondly to the Region, Area Municipalities, and then to public agencies within the Co-operative Purchasing Group.

No employee or elected official shall bid on the sale of goods except those disposed of by public auction or by sealed bids.

No employee of the City, working at the auction, shall bid for any such items.

Policy Manual
Information:Tab - Treasury Section - PurchasingSubject - Disposal of Surplus GoodsProcedures: Attached _____ Page 75 _____ Not Required _____
Included in (Manual Name) _____

Approved:

Prog. Mgr. _____ Director _____ Dept. Head _____

Reference: Criminal Code of Canada Sections 110 & 111	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: EMPLOYEES PROHIBITED FROM ACCEPTING REBATES MONEY ETC.		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Corruption of Municipal Officials is expressly prohibited by Sections 110 and 111 of the Criminal Code. To be consistent with the Criminal Code, it shall be the policy of the City to prohibit every employee of The Corporation of the City of Hamilton and Agencies to accept, directly or indirectly any loan, reward, commission advantage or benefit, rebate, money, property, travel arrangements or gift of whatsoever kind or nature from any person, persons, firms, companies or corporations which have carried on or are carrying on any kind of business whatsoever with the Corporation of the City of Hamilton and Agencies.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Accepting Rebates or Money

Procedures: Attached Pages 70, 80 & 81 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

"Total acquisition cost" shall mean the most cost efficient and effective manner and shall be the sum of all costs, including purchase price, all taxes, Canadian Content, warranty, life cycle cost, operating and disposal costs, incurred for determining the lowest acceptable bid meeting the specifications.

Procedures: Attached Page 37 Not Required _____
Included in (Manual Name) _____

Approved: _____
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	Supersedes:
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: CANADIAN CONTENT & SOUTH AFRICAN POLICY		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:Canadian Content

The City's Purchasing Policy is designed to stimulate and encourage Canadian manufacturing activity and to assist Canadian suppliers in competition for the supply of goods and services to the City.

The Purchasing Department requires a Canadian Content Preference of 15% on public tenders for the purchase of any single item or commodity grouping exceeding \$10,000, excepting those items covered by the Canada/U.S. Auto Pact.

NOTE: A Canadian Content form must be completed. The National Standard of Canada definition #2-147.3-82 shall be used as the criteria for the definition of Canadian Content.

Copy of Standard to be found on pages 87 to 89.

South African Policy

The City of Hamilton and its agencies will not purchase raw materials, partially finished or finished goods, food or beverages of South African origin.

Policy Manual Tab - Treasury Section - Purchasing
 Information: Subject - Canadian Content and South African Policy

Procedures: Attached Pages 68 & 87 to 89 Not Required _____
 Included in (Manual Name) _____

Approved:
 Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:

Passed by Committee -

Supersedes:

Prepared by: Purchasing Manual
Committee

Adopted by Council-

Policy #

Date

Subject: LOCAL BIDDERS

Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Subject to all Purchasing Policies and subject to the total acquisition cost being equal, it shall be the policy of the City and Agencies to take into consideration the location of the bidders.

Policy Manual
Information:Tab - TreasurySection - PurchasingSubject - Local Bidders

Procedures: Attached _____

Not Required _____

X

Included in (Manual Name) _____

Approved:

Prog. Mgr. _____

Director _____

Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: CONFLICT-OF-INTEREST		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

Members of Council and employees of the City shall not have a pecuniary interest, either directly or indirectly, in any contract with the City or with any person acting for the City in any contract for the supply of goods and/or services for which the City pays or is liable, directly or indirectly to pay unless such interest has been declared in Council pursuant to the Conflict-of-Interest Act.

Any contract with the City, or with any person acting for the City, and any contract for the supply of goods, materials or services to a contractor for work for which the City pays or is liable, directly or indirectly, to pay in which a member of Council or any employee of the City has an undeclared pecuniary interest, directly or indirectly may be void.

Members of Council, Boards and Commissions are required to declare any pecuniary interest, and its general nature, which may result in a conflict-of-interest.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Conflict-of-Interest

Procedures: Attached Pages 69 & 70 Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

Reference:	Passed by Committee -	<u>Supersedes:</u>
Prepared by: Purchasing Manual Committee	Adopted by Council-	Policy #
Subject: STANDARDIZATION		Date
		Reference

This Policy is: New- _____ Existing- _____ Revised- _____ Rescinded- _____

Draft Policy:

It shall be the policy of the City and Agencies to standardize goods and services purchased with a view to reducing the numbers acquired to the smallest number consistent with their needs.

Policy Manual Tab - Treasury Section - Purchasing
Information: Subject - Standardization

Procedures: Attached _____ Page 71 _____ Not Required _____
Included in (Manual Name) _____

Approved:
Prog. Mgr. _____ Director _____ Dept. Head _____

APPENDIX

CONSTRUCTION AND DEMOLITION CONTRACT REQUIREMENTS

- A. Contracts for construction and demolition work valued under \$25,000.
 - a) Quotations to be invited and opened by the Director of Purchasing
 - b) Purchase order only to be issued
 - c) Public Liability and Property Damage Insurance where directed
 - d) Performance Surety is required where directed
 - e) Bid Surety is required where directed
 - f) No holdback be retained.
- B. Contracts for construction and demolition work valued at \$25,000 and up to \$50,000.
 - a) Quotations to be invited and opened by the Director of Purchasing
 - b) Purchase Order only be issued
 - c) Two year warranty required
 - d) Public Liability and Property Damage Insurance required
 - e) Performance Surety required
 - f) Bid Surety required where directed
 - g) No holdback be retained
 - h) Short form specifications to be used
 - i) That the Bidders' Lists of the Purchasing Department of the City of Hamilton be updated at least annually by the placement of an advertisement in the Spectator inviting companies and individuals who may be interested in providing work, services or materials for the City to have their name placed on the City of Hamilton's Bidders' List.
 - j) The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Director of Personnel, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Director of Personnel to consider all claims made pursuant to this clause.
 - k) The contractor shall maintain a complete set of payroll, accounts and records relating to the project and the City Treasurer and the Director of Personnel may inspect such records.
 - l) A statement of the current status from the Workers' Compensation Board will be required from time to time.
 - m) Preference to employment of skilled or common labourers, or workmen who have resided in Hamilton for at least one year will be given.
 - n) Inspection testing and examination of the work required by the City in the specifications shall be done at the Contractor's own expense.
 - o) Inspection, testing and examination of the work as directed by the City, other than in the specifications, shall be done by the Contractor at the City's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections, testing and examinations shall be at the expense of the Contractor.
 - p) The contractor and sub-contractor be required to procure tenders or prices from local manufacturers.
 - q) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.

- C. Contracts for construction and demolition work valued at \$50,000 or more
- a) Tenders to be called
 - b) Formal Contract to be executed
 - c) Two year warranty required
 - d) Public Liability and Property Damage Insurance required
 - e) Performance Bond required
 - f) Bid Surety required
 - g) Ten percent (10%) basic holdback to be retained for a period of 45 days after publication of the Certificate of Substantial Performance and ten percent (10%) finishing holdback to be retained for a period of 45 days after completion of the contract.
 - h) Detailed and complete specifications required
 - i) The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Director of Personnel, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Director of Personnel to consider all claims made pursuant to this clause.
 - j) The contractor shall maintain a complete set of payroll, accounts and records relating to project and the City Treasurer and the Director of Personnel may inspect such records.
 - k) Before tenders estimated to be \$50,000 and over are advertised the project is to be approved by Council.
 - l) A statement of the current status from the Workers' Compensation Board will be required from time to time.
 - m) Preference to employment of skilled or common labourers, or workmen who have resided in Hamilton for at least one year will be given.
 - n) Inspection, Testing and Examination of the work required by the City in the specifications shall be done at the Contractor's own expense.
 - o) Inspection, Testing and Examination of the work as directed by the City, other than in the specifications, shall be done by the Contractor at the City's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections and examinations shall be at the expense of the Contractor.
 - p) The contractor shall insure all parties under his jurisdiction are informed of all conditions of the Tender/Contract Documents.
 - q) During periods of extreme unemployment, the City may request the Contractor to institute a work sharing program which must be agreed upon by the Contractor and the individual unions, if any.
 - r) The contractor and sub-contractor be required to procure tenders or prices from local manufacturers.
 - s) Withdrawal of sealed tenders after stated closing time will not be allowed. Sealed tenders will not be considered unless accompanied by prescribed sureties. Sealed tenders will not be accepted for any reason after official closing time.
 - t) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.
 - u) All sub-contractors and/or own forces are to be indicated on the list of sub-contractors or tenders may be considered an improper bid.

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer The Hamilton-Scourge Project presents its **SECOND** Report for 1986 and respectfully recommends:

1. That the pedestrian bridge for the Interpretive Centre for the Hamilton-Scourge Project at Confederation Park be proceeded with at an estimated cost of \$50,000.00 as provided for in the 1986 Capital Budget
2. That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project

Respectfully submitted,

ALDERMAN W. MCCULLOCH, CHAIRMAN

S. J. Dembe, Secretary
1986 July 22

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